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LETTER DATED 16 JULY 1999 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith a letter dated 14 July 1999 from the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina (see annex).

I should be grateful if you would bring the present letter to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

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Annex

Letter dated 14 July 1999 from the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina addressed to the Secretary-General

I have the honour to transmit to you the fourteenth report on the activities of the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina. I would appreciate your making this report available to the Security Council.

(Signed) Carlos WESTENDORP
High Representative

Enclosure

Report by the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General

April-June 1999

1. *Pursuant to Security Council Resolution 1031 of 15 December 1995, which requested the Secretary General to submit reports from the High Representative in accordance with Annex10 of the Peace Agreement and the Conclusions of the London Peace Implementation Conference of 8-9 December 1995, I herewith present the fourteenth report to the Council.*

2. *The Report covers the activities of the Office of the High Representative and developments in the areas listed below during the period from the beginning of April to the end of June, 1999.*

   My Assessment of developments during my tenure is attached at Annex 1.

SUMMARY

3. The reporting period was dominated by events in the Federal Republic of Yugoslavia (FRY), which had a major influence on the situation in Bosnia and Herzegovina (BiH). In addition, the period saw the Final Arbitration Award for Brcko and the dismissal of Nikola Poplasen as President of the Republika Srpska (RS). Despite this, the situation in the RS remained stable, which testifies to the progress which has been achieved forty months after Dayton. The boycott of the Institutions of BiH by the Serb members did not last long. However, in the Republika Srpska, it has not yet been possible to overcome the stalemate between the dismissed nationalist President and the reform-oriented National Assembly.

   Despite ongoing efforts, the Federation continues to function with difficulty. Parallel institutions continue to exist and the legal institutions of the Federation are ineffective due to a lack of political will to rectify the situation.

   Since the end of the Kosovo crisis, the general atmosphere in the country has been improving, and there have been various indications that we can allow ourselves some optimism in the area of civilian implementation.

CO-ORDINATION OF CIVILIAN IMPLEMENTATION

4. **Peace Implementation Council:** The Steering Board of the Peace Implementation Council continued to meet on a regular basis at the level of Political Directors. I have also continued to convene weekly meetings of the Board at Ambassadorial level in Sarajevo.

5. On 11 May, the Steering Board met in Brussels, where it took the decision to proceed with the Donors' Conference and to extend the validity of Republic of BiH passports until 30 September, 1999. The Steering Board also decided to support the policy of refraining from any political action in the RS which might aggravate the situation there during the Kosovo crisis.

6. On 15 June, the Steering Board decided to defer the municipal elections. It also discussed the need for budgetary support to the Republika Srpska, the creation of an economic space within BiH, and progress on the draft permanent election law.

INSTITUTIONAL MATTERS

7. The Institutions of Bosnia-Herzegovina returned to work following the abrupt interruption caused by the boycott of Serb officials in reaction to the Brcko Arbitration Award and my decision to remove President of the RS, Nikola Poplasen. The boycott that was announced by Croat politicians after the assassination of Deputy Minister of Interior of the Federation, Jozo Leutar, did not have major consequences. HDZ leaders clearly understood that their policy of obstructionism did not have wide support within the Croat community.

8. The work of the **Presidency** continues with a more co-operative and positive approach which has prevailed since the constitutive session on 13 October, 1998. I brought the Presidency back to work by chairing a session in April this year after the boycott of the State Institutions by the Serb members. However, serious differences persisted among the three Members in relation to the interpretation of the recent events in Kosovo and the FRY and their impact on BiH: President Radisic constantly proposed Presidency statements condemning the use of BiH territory and airspace during the NATO action against the FRY (a proposal which was always rejected by the other Members). As expected, on 15 June, President Jelavic replaced President Radisic as Chair of the Presidency. In his inaugural speech, he emphasized his commitment to a new, tougher approach. A long-awaited and important agreement was reached on the reorganisation of the diplomatic and consular network of Bosnia and Herzegovina. After a meeting with SRSG Rehn and myself on 25 June, the Presidency agreed to start work on a Law on the State Border Service, and appointed an international working group. A draft law should be completed by the end of July. During the reporting period progress was also made on preparations for the introduction of a common driving license.

9. After a lengthy break due to the boycott of Serb delegates, the **Parliamentary Assembly** held its first session of the period on 11 and 18 May, 1999. At this session the Assembly adopted the State Budget for 1999. On 8/9 June the Parliamentary Assembly held its next session and adopted the Law on Telecommunications. I had previously brought this law into force on an interim basis. In addition, the validity of the old passport was extended to 30 September, 1999. The Parliamentary Assembly failed at this session to adopt the other legislation which I had imposed on an interim basis. Whereas the House of Representatives is trying to facilitate the legislative process, it is clear that Croat and Serb delegates are continuing to use the House of Peoples as a means of delaying legislation. Overall, therefore, the Parliamentary Assembly is not always able to find the political will to ensure it functions effectively. The working committees are functioning more effectively, but their work continues to fall far short of what is required for the Parliament to fulfil its obligations. On 25 June, 1999 I decided to bring into force on an interim basis the Law on the **National Anthem of Bosnia and Herzegovina**. This Law was adopted by the House of Representatives on 10 February, 1999. Although it has agreed on the National Anthem itself, the House of Peoples has been unable to agree on the text of the Law for the last four months.

10. Decision-making by the **Council of Ministers** continues to be slow, with this institution suffering from the differing priorities of the two entities and three constituent peoples. As a positive sign, members of the Council are attempting to develop a common work programme. While a difficult task, this is an important step towards addressing common priorities for BiH. Highlights of this period – shortened by the boycott – include the long-awaited adoption of the Law on Civil Aviation.

11. **Border Issues**: The Inter-State Diplomatic Border Commission between Bosnia and Herzegovina and the Republic of Croatia has made significant progress resulting in a mutually defined and agreed to border line, in its entirety, between the two countries. Further, the commission has initialled the text of the Treaty which has been submitted to both governments for review and approval.

FEDERATION ISSUES

12. **Special Relations Agreement between Croatia and Federation of Bosnia and Herzegovina:** Federation Parliamentary approval of the Special Relations Agreement was completed on 7 May, 1999 when the House of Peoples adopted this Agreement. Significant progress has been achieved on the development of the Annexes by both parties. Two of the Annexes have been signed by both parties, while many of the remaining proposed Annexes have been exchanged and are in the process of negotiation nearing completion.

13. The main issue to emerge in the Federation in recent weeks has been corruption. The "third entity" discussion disappeared from the agenda, although the distribution of leaflets in Mostar immediately after the start of air strikes against the FRY is a sign that this debate could resurface at any time. Nevertheless, the Croat member of the Presidency, Ante Jelavic, clearly wishes to use his chairmanship to demonstrate that he represents the entire Bosnian Croat people, and is doing his best to demonstrate moderate behaviour. I hope this approach may turn out to be a useful means of stabilising the Federation in the months to come. On 20 June, Jelavic attended an auction in Mostar to raise funds for the defence of Croat indictees in the Hague, however, which suggests that his moderate tendencies are only surface-deep.

14. The functioning of the Federation institutions continues to be a matter of concern. The obstructive behaviour of Bosnian Croat hard-liners in the Federation House of Peoples halted the work of the Parliament for almost a month.

15. The impact of the acceleration of anti-fraud activities has been another important issue on which I have taken decisive action, including the dismissal of the Tuzla Canton Minister of Interior for failure to act. My office continues to focus on organised crime and would welcome additional secondments to the Anti-Fraud Unit.

16. The implementation of the Federation Property Laws continues to be a slow and difficult task, absorbing the greatest part of international field resources. The administrative bodies responsible for resolving property claims are still subject to political pressures, often refusing to issue decisions or order the eviction of the current occupants of claimed housing. Resolution of double occupancy cases is occurring only in small numbers, following the establishment of double occupancy committees, involving both international organizations and local housing authorities, in many parts of the Federation. There is little indication, outside Sarajevo Canton, that the legal and administrative mechanisms for return can function without heavy international pressure.

17. Creating conditions for sustainable returns continues to be a major challenge, requiring considerable effort and resources. For returnees, issuance of ID Cards and access to health facilities, education, electricity, water, pensions and employment opportunities are of paramount importance. Municipal authorities take little or no responsibility for providing basic services to returnees, particularly in Croat municipalities in Herzegovina.

18. High level non-implementation in the mixed Cantons continues to be a serious concern. In particular, the problem of who should fill the positions in the Ministry of Interior in Canton 6 has not yet been solved. Within the SDA in Central Bosnia, the former Mayor of Bugojno, Dzevad Mlaco, is attempting to strengthen his position and steer the Bosniaks on an obstructionist course. I have warned the SDA leadership that I intend to take strong action if Mr Mlaco, whom I had to suspend from office in February, continues to exert political influence in Central Bosnia.

19. The situation in **Mostar** has not seen any significant improvement, due to obstruction on both sides. Since early April Phase I returns (to empty and damaged private property) and assessment visits involving both Bosniaks and Serbs have gathered pace. Croats still show a marked reluctance to return. Despite the continuing successes of Phase I returns, donor support is lagging behind the pace of returns. Emphasis has been placed on immediate support for returns with political significance, but many other returnees are still waiting for funding support - some for over 8 months, which endangers the sustainability of these returns. A key area of effort has been on resolving double-occupancy, which is particularly bad in the Mostar area, and endemic in West

Mostar, and is the major block to the returns process. Political pressure on the East Mostar authorities has resulted in progress, albeit it slow, in resolving reconstruction-related double-occupancy. While the legal framework to resolve double-occupancy is now in place, political obstruction and ineffective Municipal Housing offices make this issue a particularly difficult one to resolve.

20. The negotiations on the integration of Zepce into Canton 4 continued but were not completed, mainly because of Bosniak objections. A solution could lead to a major breakthrough in overcoming the problem of parallel institutions, and could mark the beginning of an organised and phased elimination of remaining war-time "Herzeg-Bosna" structures. President Izetbegovic has supported the objections of local party officials, leaving the impression that the SDA has no real interest in making the Federation operational.

21. As a further step towards establishing a democratic society, my office took a firm stand against the Mayor of Zenica, who attempted to intimidate the press by targeting journalists who had published information on double occupancy cases in the town.

REPUBLIKA SRPSKA ISSUES

22. Although the NATO campaign against the FRY provoked a strong and unanimous negative reaction among RS politicians and much of the population, it did not destabilise the Republika Srpska. In all, RS politicians and citizens showed maturity by ensuring that BiH did not become drawn into the conflict. Until the situation in the FRY had been clarified, all parties – except President Poplasen's Radical party – honoured the agreement to maintain the status quo. This allowed Dodik's government, which has been acting in a caretaker capacity since September 1998, to continue normal business with full powers. It remained engaged in the process of Dayton implementation, and – with IC assistance – started to mitigate the economic impact of the crisis in the FRY (before the crisis, 75% of Republika Srpska exports were to the FRY). Events in the FRY did serious damage to the economic and social situation in the RS. I therefore welcome the fact that the US and the EU are willing to provide rapid support to the RS.

23. Nikola Poplasen, whom I removed from the RS Presidency in March, became increasingly isolated on the RS political scene. I therefore refrained from taking any action against him. As Vice-President Sarovic remained reluctant to take over the office of President unless Poplasen resigned of his own accord, the position of president remained vacant. In the absence of a president capable of nominating a new Prime Minister, Dodik's government will stay in power until a compromise can be reached.

24. Resistance to the Final Arbitration for Brcko continues to be one of the main issues of RS politics. However, the Arbitrator is continuing his work on the Annex to the Award of March. My office has participated in his efforts to find a feasible and politically acceptable solution.

25. In accordance with my authority under Annex 10 of the General Framework Agreement for Peace and Section XI of the Bonn Conclusions, on 25 June I issued a decision to speed up the legislative process in the Republika Srpska. The Entity Constitution does not provide for the promulgation of laws adopted by the RS Assembly when there is a vacuum in the RS Presidency. Therefore I decided that, during the vacuum, the signature of the RS President shall not be required for the publication of adopted laws in the Official Gazette of the RS.

26. The Entity Constitution does not provide for the publication of laws adopted by the RS National Assembly when there is no RS President. Therefore, I decided that at this time the signature of the RS President shall not be required for the publication of the adopted laws in the Official Gazette of the RS.

27. Despite the effect of the NATO bombing campaign in Yugoslavia, and concerns about the security of returnees in the RS, the return process to the RS continued. There was a small but significant number of returns to the Eastern RS.

BRCKO

28. There were few minority returns to the Brcko area of supervision during the reporting period. The reasons for this included the reduced availability of unoccupied houses suitable for reconstruction, uncertainty surrounding the implementation of the Brcko Arbitral Tribunal's Final Award, and tension caused by events in the FRY. By the end of June, however, OHR-North had detected some enthusiasm from members of all ethnic groups for return to homes of origin in the pre-war Brcko Opstina. Bosniaks were able to clean destroyed houses and begin reconstruction in Dizdarusa and Rijeka, two neighbourhoods in the suburbs of Brcko town. Despite prior negative reactions on the part of Serb Displaced Persons to house-cleaning activities in those neighbourhoods in previous years, the Bosniaks engaged in house-cleaning and reconstruction were for the most part unhindered.

29. The security situation in Brcko has remained calm. Although some Serb political parties sponsored local rallies and protests related both to the NATO air strikes in Yugoslavia and to the Final Award, these gatherings remained non-violent and petered out even before the cessation of the NATO air strikes. The multi-ethnic Police has continued to co-operate with IPTF and to function reasonably effectively despite frequent delays in the payment of salaries to its officers and staff.

30. In April, the Municipal Assembly elected Sinisa Kisic (SPRS) to the position of Mayor. Executive Board sessions were less confrontational and more productive than at any other time since the multi-ethnic Administration's inception.

LEGAL ISSUES

31. **Immigration and Asylum Law**: The draft BiH Law on Immigration and Asylum was resubmitted to the BiH Ministry of Civil Affairs and Communications on 10 April, 1999, after revisions based on comments by the Venice Commission. My Office is currently involved in establishing a consolidated text for adoption by the BiH Council of Ministers and passage by the BiH Parliamentary Assembly.

32. **Commission on Inter-Entity Legal Co-operation**: In a letter of 14 April, I requested that the BiH Presidency and the competent Entity authorities should re-appoint the members of the Commission, whose work was suspended during last September's elections, and take steps to facilitate its development into an effective mechanism for Inter-Entity Legal Co-operation, as recommended in the Madrid PIC document. So far, only the Federation has responded: further efforts will clearly be needed in order to restart the work of this vital organisation.

33. **Amnesty Law**: At its session on 23 December, 1999, the National Assembly of Republika Srpska passed a Law on Amendments to the 1996 Law on Amnesty, bringing it into line with the Federation Law on Amnesty, which complies with the Peace Agreement. However, the amendment was vetoed by the then-President of Republika Srpska Nikola Poplasen, and, according to the provisions of the RS Constitution, must be passed once again by the National Assembly before it can enter into force. I expect this to take place at the next Assembly session, which is scheduled for mid-July.

34. **Citizenship**: Despite the fact that experts from the Federation of Bosnia and Herzegovina, OHR, the Council of Europe and UNHCR held their last meeting over a year ago, the procedure for adopting the Law on Citizenship of the Federation of BiH has still not begun in the Federation. The matter is urgent since former SFRY citizens who have resided in BiH since 1997 will be eligible for BiH citizenship by 1 January, 2000. Unless the Law has been adopted by the end of this year, it will not be possible to process applications for citizenship from such persons. The same applies in the Republika Srpska, where adoption of the citizenship law has been delayed because of the recent political situation. The law is now on the agenda for the next session of the National Assembly.

35. **Environmental Law**: I have already initiated co-operation between the Entities on water issues by inaugurating the Inter-Entity Water Commission, which has enjoyed a year of success. I am now

determined to reduce the current rigid, ineffectual structure of the Federation water regime. In the Federation, the water law, policy and management do not provide an adequate basis for the prevention of pollution and shortages. One of my main short term targets is the creation of a Federation Ministry of Natural Resources, which will combine environment, water resources, and forestry. Currently the responsibility for these areas is divided between two different Ministries. The critical nature of natural resources and their impact on social and economic development demands unified and definitive change in order to bring Federation environmental legislation into line with the principles of international law and European Union standards. I continue to count on the support of the international community as my Office works to achieve concrete steps in this key area.

36. **Electoral Law Reform**: We are now rapidly moving towards the point where a first consolidated version of the permanent Election Law for Bosnia and Herzegovina can be distributed. Since my last Report, the drafting committee, together with my Office, the OSCE and the international advisory team, has produced a great deal of work. This means that it will be possible to present the draft law to the International Community by the end of July. Beyond the principles deriving from the GFAP itself, the objectives have been to make mono-ethnic parties marginally dependent on voters from ethnic groups other than their own, to reduce the influence of extreme nationalist parties, and to make Members of Parliament more directly accountable to their electorate. It will be a significant achievement for Bosnia and Herzegovina when general elections can be conducted according to the country's own legislation.

37. **Labour Law**: I have expressed concern regarding the delayed adoption of the new Labour Law in the Federation. All obstacles to its adoption by the Parliament should be overcome in the near future. In order to ensure freedom of movement of persons throughout the territory of Bosnia and Herzegovina and guarantee the country's compliance with its International Labour Law obligations, my Office will, in close collaboration with ILO, submit to the competent authorities draft Labour regulations at the State level.

38. **Narcotics Legislation**: In close collaboration with UNDCP, my Office will submit to the competent authorities draft legislation with regard to the implementation of the three UN Drugs Conventions.

39. **Local Self Government**: The Law on Changes and Amendments to the Law on Bases of Local Self-government was tabled in the Federation House of Representatives. The amendments will improve the position of cities and municipalities in the Federation, and harmonise Federal legislation with the European Charter on Local self-government. The Sarajevo Canton has still not adopted a Law on the City of Sarajevo, which means that the capital city of the State of BiH and of the Federation still does not exist as a City under the Constitution of the Federation, as it should according to the Sarajevo Protocol. My Office is trying to speed up the adoption of this Law.

40. **The Constitutional Court of Bosnia and Herzegovina**: At its session held on 25 and 26 February, 1999, the Constitutional Court decided that it was not competent to examine appeals against decisions of the BiH Human Rights Chamber. At its last session, held on 7 and 8 June, 1999, the Court continued its consideration of a case concerning the conformity of Entity's Constitutions with the Constitution of BiH. It also rendered a decision by which it declared the decrees promulgating the Treaties on customs co-operation and economic co-operation between the Federation of BiH and Croatia to be unconstitutional and void on the grounds that the constitutional procedure for ratification of treaties had not been respected. The next session is to be held on 13 and 14 August, 1999. The financial situation of the Court has not improved since my last Report. The State did not meet its obligation to secure sufficient payments to the Constitutional Court from its budget. The Constitutional Court still has to rely on the support of my Office and the PHARE programme of the European Union. Furthermore, the voluntary fund of international donors, aimed at supplementing the Court's budget as provided by the Madrid Declaration, has not received sufficient support. Germany decided to make a donation on 28 May; France and Sweden promised to follow suit.

41. **Privatization.** All necessary laws for the implementation of the privatisation process are adopted. This is a good legal basis for the beginning of the process, although laws on restitution as to real estate, which are also essential to the process, remain under discussion.

HUMAN RIGHTS AND THE RULE OF LAW

42. **General:** Attacks on minority returnees following the commencement of the NATO air strikes have declined, and the international community has resumed most of its activities in the Republika Srpska, with the exception of the municipalities of Foca and Trebinje. Return assessment visits are ongoing, although they decreased at the end of April and during part of May. Although there have continued to be successful returns in both Entities, return-related incidents, including house explosions, house stoning and arson, have been registered in a number of areas across the country. In Kotor Varos in the Republika Srpska, a municipal resolution opposing the return of Bosniaks was passed. The majority of incidents have involved damage to property, rather than personal injuries. Following the review by the UN IPTF of the police force in Stolac, which I mentioned in my last report, the investigators concluded that there was an absence of a professional and joint police force in Stolac and that there was still no integration of the Cantonal institutions. The UN IPTF Commissioner issued a 100 Day Agenda for action intended to integrate the police force and introduce a greater degree of professionalism.

43. **Rule of Law and Judicial Reform:** Since my last report, working groups composed of judges and prosecutors in both Entities have continued their work on drafting laws designed to establish an independent judiciary. The Peace Implementation Council in Madrid mandated the creation of these laws by 30 June, 1999. I am pleased to report that the Federation working group, with the assistance of my Office, has finalised a draft law on the independent selection of judges and prosecutors, which includes provisions for adequate salaries along with standards and procedures for dismissal. The draft law has been reviewed by the Council of Europe and has been submitted to the Government for introduction to Parliament.

44. In the Republika Srpska, a similar working group is currently finalising its judicial and prosecutorial selection laws, which address the same areas covered by the Federation law. These draft laws represent significant progress in the creation of an independent and impartial judiciary. My Office will continue its efforts towards the passage of these laws and will closely monitor their implementation.

45. I am also pleased to announce that the Association of Judges and Prosecutors in the Republika Srpska, the Association of Judges of the Federation and the Association of Prosecutors of the Federation have jointly adopted a common Code of Ethics. In addition, the comprehensive judicial reform strategy called for in the Madrid Document will be completed in July and will be the "road map" for the international community's future efforts in judicial reform.

46. With regard to the investigation and prosecution of serious crime in the Federation, including terrorism and organised crime, legislation has been introduced in Parliament which will enhance the authority of the Federation prosecutor in prosecuting Federation level crimes and also, in appropriate cases, in directing and taking charge of prosecutions in Cantonal courts. The legislation also creates first instance jurisdiction at the Federation level for trials of Federation-level crimes. Similar efforts to enhance the independence and responsibility of the Entity level prosecutor are underway in Republika Srpska and will be included in the Phase I revisions to the RS Criminal Code and Code of Criminal Procedure, which will be completed in September.

47. Training programmes for prosecutors and judges will continue as a means of expanding developments in the area of judicial and legal reform. My Office has co-ordinated the activities of several of the implementing agencies involved in judicial reform in relation to this task. The Council of Europe continues to focus on training legal students and professionals in matters relating to the European Convention on Human Rights. OSCE has begun sponsoring training for prosecutors and police in relation to complex investigations in co-ordination with ABA/CEELI and the Anti-Corruption Unit in my Office. Similar programmes which were previously initiated in Republika Srpska are currently being re-scheduled and will resume in the near future.

48. **War Crimes Trials in Domestic Courts:** In May, the Republika Srpska Supreme Court ordered a retrial in the 'Zvornik 7' case before the Bijeljina District Court. Following the Republika Srpska Supreme Court decision, the Republika Srpska authorised the release of the three remaining Zvornik prisoners pending their retrial. My office is working with the Republika Sprska authorities to achieve a more permanent and legally satisfactory solution to this case.

49. Following an appeal hearing in May, the Federation Supreme Court ordered a retrial in the case of Ibrahim Djedovic in a decision which identified a number of violations of international human rights standards. The Supreme Court's decision specifically ordered that these violations be rectified in the retrial. Mr. Djedovic was arrested in May, 1997 and in October, 1998. The Cantonal High Court in Sarajevo found him guilty on charges of war crimes against civilians and sentenced him to 10 years imprisonment. A date for his retrial has been set for mid-July.

50. **Co-operation with the ICTY:** On 7 June, SFOR troops detained Dragan Kulundzija, a Bosnian Serb indicted by the ICTY on charges of violations of the Geneva Conventions and crimes of humanity, transferring him to the Hague. According to the ICTY indictment, Kulundzija was a shift commander in the Keraterm prison camp near Prijedor during the conflict. This was the first detention carried out by SFOR troops since the beginning of NATO air strikes in March.

51. **Missing Persons and Exhumations:** The Joint Exhumation Process, which is co-ordinated by my Office, recommenced after the winter break. Good co-operation between the three parties continues. The RS authorities continued to allow full access to grave sites, and to provide full security throughout the RS during the crisis in Yugoslavia. Some 500 bodies have been exhumed so far this year.

52. **Human Rights Institutions:** Since my last report, improvements have been made in the implementation of the decisions of the Human Rights Chamber, recommendations of the Ombudsperson and decisions of the CRPC. Notably, an agreement has been reached with respect to military apartments. In these cases, individuals who had purchased their apartments before the war had their contracts annulled by legislation without any form of compensation. Following hundreds of Chamber and Ombudsperson decisions, the Federation of Bosnia and Herzegovina and my Office have agreed to legislative changes in the Federation to eliminate the associated human rights violations. Once the legislation has been adopted and is applied, the percentage of cases of the Human Rights Chamber complied with by the respondent parties will rise from approximately 10% to over 85%.

53. The impartial and rigorous criminal investigation demanded by the Security Council and the Ombudsperson of Bosnia and Herzegovina into the events surrounding the Mostar incident of 10 February, 1997 has finally taken place. The investigation was carried out by local police officers under the supervision of UN IPTF and the report of the investigation has been transferred to the local prosecutor for action.

54. Difficulties are anticipated, however, in the implementation of the Institutions' recent decisions which require the eviction of current occupants of previously abandoned accommodation. In three of the eight Chamber decisions requiring the payment of compensation from the Federation, relatively large amounts of compensation have been paid. Orders for payment have been given by the Prime Minister to the Minister of Finance in the remaining cases. I am deeply concerned, however, that the Republika Srpska has not yet paid compensation in the three cases in which payment has been required. In addition, the Republika Srpska has not complied with the order of the Human Rights Chamber to provide all available information on the Father Matanovic case involving the disappearance of a priest and his family near the end of the war. In addition, the Republika Srpska has until 11 September, 1999, to comply with the *Islamic Community* case of the Human Rights Chamber in which it must allow for the construction of enclosures and issue permits for the building of mosques in the Republika Sprska.

55. I remain concerned with the lack of State funding for the Annex 6 and 7 Institutions. Requests for an increase in funding have not yet been accepted by the State; I hope that an increase will be seen

by the latter half of 1999. Continuing improvement in the co-operation between the government representatives (agents) to the Human Rights Institutions has been seen since the last reporting period, although funding by the Republika Srpska for the office of its representative has been lacking.

56. Legislation implementing the decisions of the CRPC has been drafted, and it is hoped that adoption will occur prior to the next report to the Security Council.

57. **Property**: During this period, I took a number of Decisions amending the property laws in both Entities, to strengthen the legal framework for return. These Decisions included the cancellation of new permanent occupancy rights which had been granted during and since the war to apartments belonging to refugees and displaced persons, as well as stricter rules on multiple occupancy and the right to alternative accommodation. These Decisions have been accepted by the Entity Governments and are being implemented in the field. I expect the Entity Governments, particularly in the Republika Srpska, to continue to strengthen the legal and administrative framework for return, and my Office may intervene further if required.

58. Implementation of the laws is improving in most parts of the Federation, and the rate of evictions of current occupants of property belonging to refugees and displaced persons is now higher than ever before. In Republika Srpska, the implementation of the claims process started three months late, and I was therefore obliged to extend the deadline for claiming socially owned apartments for six months. I expect the Republika Srpska Government to devote considerably more resources to processing return claims over the summer of 1999.

59. **Education**: I am cautiously optimistic that the implementation of the first phase of the textbook revision, which will remove all objectionable material from the textbooks, will be completed before the beginning of the 1999/2000 school year. This process has been delayed by the authorities for one full year and the first phase revision should be considered an interim stage in the process to produce textbooks which meet accepted European standards. Implementation of the textbook revision is a condition for accession of Bosnia and Herzegovina to Council of Europe membership, together with substantial progress in the reform of education overall.

60. My office continues to support the work of UNESCO, the Council of Europe, the World Bank, the European Union and others in their ongoing efforts to reform the education system at all levels through programmes addressing curricular reform, educational standards, governance and financing issues, capacity building in higher education, teacher training in human rights and citizenship education, political leadership, public administration and business law education.

61. **Civil Society**: In March, the draft Law on Associations and Foundations was forwarded to the Council of Europe to assess whether the draft Law's provisions are in conformity with respective international human rights standards. Upon receipt of the response from the Council of Europe, negotiations with authorities towards the rapid adoption of this legislation will commence. A conference entitled "Non-governmental Organisations as Vehicles for Social and Political Change" was held in Sarajevo in April, with the participation of over sixty Non Governmental Organizations (NGOs) from across the country. Following up the considerations given in the Madrid Declaration, the event was designed to support domestic NGOs with designing their own strategies for assuming more vigilant and responsible roles in BiH society. Notably, the conclusions called for appropriate NGO legislation, increased media access for NGOs, democratic structures within NGOs, a more significant role of NGOs in raising civic awareness and identifying society's problems, and for a greater involvement in decision-making, including participation in the process of creating the Permanent Election Law (PEL). Regarding the Election Law, NGOs insisted that they should have a role as domestic election monitors, including during the pre-election campaign.

ECONOMIC REFORM AND RECONSTRUCTION

62. **Impact of NATO strikes on the RS**: The RS government estimates that approximately 30,000 jobs have been put at risk, principally by the disruption of RS exports to the FRY, its key trading

partner before the crisis. Production will not return to former levels for the foreseeable future. This decline in production and trade affects public revenues and social services. My Office has been seeking budgetary support from the International Community. Direct and quick budgetary support (from the United States government in particular, and also from Denmark) has minimized the effect of the strikes on the overall political and social situation. Additional assistance from the European Union is planned. Nevertheless, the major external market for the RS has suffered severe damage. The effect of this will be difficult to overcome in the short term.

63. **Fifth Donors' Conference**: My Office was extensively involved in the preparations for the Fifth Donors' Conference which was held in Brussels on 20-21 May, 1999. Some 45 countries and 20 organisations (including the World Bank, the European Commission and the IMF) pledged US $1.052 billion and met the target of $5.1 billion, under the Priority Reconstruction Programme. This year's pledge surpassed both the need and expectation by $50 million and confirmed that donor fatigue has not yet set in. Any current optimism should be cautious, however: BiH officials at the conference were warned that "compassion fatigue" may not be far off, particularly in view of events in Kosovo. The funding requirement of $1 billion excluded the cost of the impact of Kosovo, now estimated to be $90 million, for both Entities. This still leaves a funding gap of about $50 million.

64. The main themes of the conference reinforce my message about the way ahead: a modern and democratic society; responsible conduct by the politicians; greater focus on economic reform; the clear need for the rule of law and human rights; and the right of Displaced Persons and Refugees to return home.

65. Priorities include: Community and social services in support of refugee return (housing, water, waste management, heating, health, education and land mine management); institutional and policy reforms to support private sector development; targeted economic initiatives (credit lines to small and medium-sized enterprises and agriculture); employment programmes; and provision of fiscal support for recurrent expenditures, including social assistance.

66. **Reconstruction**: Repair work on the bridges between Croatia and Bosnia and Herzegovina continued in Dubica, Brod and Gradiska, while de-mining and preliminary work was carried out at Kostajnica, Jasenovac and Samac. My Office has been instrumental in securing the temporary opening of a new border crossing point at Novi, to alleviate traffic congestion and ease the passage of people and goods between Croatia and Bosnia and Herzegovina. In collaboration with Croatia, the RS Army will install a temporary pontoon bridge at Gradiska this summer, and I have supported this initiative. The situation in Yugoslavia delayed the contract for the repair of the Brcko bridge, which is due to be signed with a Yugoslav company.

67. The reconstruction of other bridges of national importance, such as the Karuse bridge between the two entities near Doboj, and the Aleksin Han bridge between Mostar and Jablanica continued. Preliminary works continued on the old bridge at Mostar.

68. **Reform of Public Utilities and Implementation of Annex 9**: In the energy sector, the Norwegian Government provided a grant of DM 250,000 to finance the preparation of the State and Entity Electricity Laws. Norwegian consultants started preparatory work in June. All indications are that the deadline for the adoption of the State Electricity Law (30 June, 1999) will be missed. The US Trade and Development Agency has signed two Grant Agreements with the Ministry of Energy, Mining and Industry of the Federation, to finance feasibility studies for the Konjic Power Plant and for the Mid Bosnia and Tuzla coal mines. Activities relating to a Joint Power Co-ordination Centre are continuing towards the fulfilment of Stages II and III of the Agreement with the World Bank. Teshmont Consultants Inc. commenced a feasibility study to determine the optimal configuration of the BiH State Transmission Grid. The purpose of this study is to identify the transmission system's remaining reconstruction priorities. The study will provide he basis for the development and implementation of the SCADA system, and an integrated communication system.

69. **Transport**: The transport sector is the first area where Public Corporations under Annex 9 of the GFAP were established, (the Transportation Corporation and the Public Railways Corporation

(BHZJK)). Only the Public Railways Corporation is operational, but it is still unregistered, because of the absence of appropriate legislation. The next meeting of the Commission on Public Corporations, which is to be held on 8 July, 1999(after several postponements caused by various political events), will examine any potential problems with these Corporations (including the activation of the Transportation Corporation).

70. **Railways**: The Federation Forum has clarified the situation, and the draft law on the Federation BiH Railways was adopted by the Federation Government on 17 June 1999. However, Article 1 of that law has not yet been finalised by the Federation Ministry of Transport and Communications. The question of whether or not the law will allow the creation of a second railway operator company in Mostar, in addition to the Federation Railway Company, remains unresolved. The second operator would have the dual role of rail infrastructure manager and of railway operator. My Office is now examining this sensitive matter. A decision is expected shortly so that the draft law can be submitted to the Federation Parliament.

71. **Telecommunications**: On 18 February, 1999, the Council of Ministers made the first appointments (three full-time members and two of the three part-time members) to the Management Board of the Telecommunications Regulatory Agency. However, of these appointments, one full-time Member is unable to take up his position in the near future, and the two appointed part-time members have direct links with the operator, which makes them ineligible. My office is working with the relevant authorities to rectify the situation and ensure the proper functioning of the Telecommunications Agency as soon as possible. The numbering system for Bosnia and Herzegovina was agreed at the technical level at a meeting in Bern on 30 April. My office will encourage the early adoption of this numbering plan by the Bosnia and Herzegovina authorities so that implementation can be completed by the end of the year.

72. **Post**: Post between the entities continues to be uninterrupted. A draft of a new State-level Postal Law has been completed. It was discussed in April, 1999, by all parties, at the headquarters of the Universal Postal Union in Bern. The next meeting will be held in July 1999, when it is hoped that agreement will be reached on the most essential points of the law. However, at present, parties disagree over how the postal sector should be organised. Discussions with various parties to identify funds for the much-needed reconstruction of this sector are still ongoing. On 14 June 1999, my Office organised and hosted a Workshop on Postal Banking in Sarajevo. The workshop was attended by approximately 40 representatives of various areas of the postal and banking system in BiH.

73. **Macro-Economic Reform and Transition**: As in the past, and in keeping with Madrid Declaration (December 1998), the Economic Task Force (ETF) continues to provide guidance to the donor community on economic assistance, including conditions for aid. ETF members reviewed and approved the conditions for the 1999 donors' conference, for example. These included: satisfactory progress on minority returns; implementation of the property laws; full implementation of the BiH Customs Law and extra customs duties according to the decision by the Council of Ministers; a plan by the entities for the liquidation and reform of the payment bureaux; greater progress in the privatisation process (specifically the full functioning of all Privatisation Agencies, and harmonization of the entity laws with the Framework Law, as well as the enforcement of its provisions); and funding of public television by passing respective legislation, which is the responsibility of the Entities.

74. **Konvertibina Marka (KM)**: On 21 June, the Central Bank of Bosnia and Herzegovina (CBBH) celebrated the anniversary of the KM. At a press conference, Governor Peter Nicholl thanked the local authorities, the International Community and my Office in particular for their support. Despite numerous difficulties, including popular misgivings about the currency, the KM has increasingly won confidence. The CBBH balance sheet has grown to KM 340 million in May 1999 from KM 150 million a year ago - an increase of 127 per cent. Ernst & Young recently audited the accounts of CBBH, giving them a sound score. In the Republika Srpska, the KM is used for approximately 70 per cent of government payments and revenues. Increased use of the KM has expanded internal trade and bolstered economic activities. Pegged to the Deutsche Mark, the KM has a fixed exchange rate with the EURO. The recent trading in Austria, Switzerland and

Germany and indications that the KM will soon be available for transactions in Hungary and Croatia, is all good news. The CBBH's goals for the year ahead are to introduce KM 1 and 2 coins; to ensure that the DM, Kuna and Dinar eventually disappear from the payment system; to reform and integrate the payment system; and to maintain the stability of the currency board.

75. **State Budget**: The Entities paid their contributions to the State Budget from January to April, 1999, but have not yet paid their contributions for May and June. My Office presented the State Treasury Project (which the International Monetary Fund had prepared) to the Council of Ministers. As a result, the Council of Ministers appointed a commission to work on the project's implementation. The donor community has been informed about the project, but we are still to receive any positive response. The Madrid Document deadline for the creation of the State Treasury (the end of June) was not met.

76. **Reform of Payment Bureaux**: On 3 June, 1999, the Federation adopted a series of amendments to the Law on the Internal Payment System. When Parliament adopts it, the amended law will abolish the monopoly position of the Payment Bureaux over domestic payment transactions, and provide a legal basis for a governing board that will guarantee transparency in the transformation process. In the Republika Srpska, a similar governing board will soon be established by a governmental decree. Overall, good progress has been made in the reform of the payment system and the preparations for eliminating the Payment Bureaux by December 2000, the deadline concluded in Madrid. A team of experts has developed a strategic plan for the transfer of the Payment Bureaux's functions to the appropriate governmental institutions and commercial banks. Donors have begun to provide technical assistance to these institutions in several areas to prepare them for their new functions and to ensure that the transformation will proceed smoothly. A programme to spread public awareness of the timetable for the Payment Bureaux's elimination is to start soon. My Office will continue to monitor progress of this important initiative. A broad range of international organisations is carrying out the reform agenda, united in the International Advisory Group and chaired by USAID.

77. **Customs and Trade**: Since 15 May, 1999, the customs policy of Bosnia and Herzegovina has been uniformly applied throughout the country. Following a decision by the Council of Ministers on 22 April, 1999, both Entities have ceased to apply preferential customs treatment to imports from Croatia to the Federation, and from Yugoslavia to the Republika Srpska. Before, in spite of the customs laws, imports from these countries were treated as domestic production, and charged a 1 per cent administrative fee instead of customs duties. The cessation of this practice, achieved only after constant pressure from my Office, represents significant progress towards the normalisation of the Bosnia and Herzegovina economy and the creation of a single economic space. Moreover, as a result of this decision, customs revenues are expected to increase. To further promote the creation of a single economic space, my Office is continuing its efforts to harmonise tax systems between the Entities, and to bring the commercial environment in line with EU standards. A major step forward was the Agreement on the harmonisation of excise tax rates, signed by the Entities on 8 June, 1999.

78. **Privatisation**: At the request of the privatisation authorities and the Governments of both Entities, as well as the international organisations involved in the privatisation process, my Office issued the paper "Eligibility to Vouchers". This paper defines the eligibility of citizens for different categories of voucher, considering the differences in the Entity laws, and ensures that basic rights embodied in the State Framework Law on Privatisation of Enterprises and Banks are respected.

79. There are four categories of citizens' claim in the privatisation process: unpaid soldier claims in the Federation; general claims; frozen exchange accounts; and claims for unpaid pensions. Unjustified, politically motivated claims had inflated the total nominal amount of frozen accounts claims to some KM 9 billion and delayed the privatisation process. With the intervention of my Office, this amount was reduced to KM 7.7 billion by April, 1999. This removed a major obstacle for the commencement of privatisation.

80. During the period under review, small-scale privatisation started in the Federation. My Office, with technical advice from the independent Privatisation Monitoring Commission, is ensuring that the process will proceed in an efficient and non-discriminatory manner.

81. **Anti-Fraud and Corruption:** The fight against corruption remains a major challenge in Bosnia and Herzegovina. My office is working vigorously to implement the comprehensive Anti-Corruption Strategy for Bosnia and Herzegovina which was approved by the Steering Board in March. We are assisting police and prosecutors in dozens of major corruption and economic crime cases throughout the country, involving hundreds of millions of dollars in lost public revenues. My Office also drafted a new Witness Protection Law, which is badly needed as so many criminal cases cannot be tried merely because witnesses have been threatened and intimidated and are afraid to testify. In early June 1999, a major co-ordination meeting was held by my Office to report on progress to date and to co-ordinate future efforts. All of the international organisations engaged in strategy implementation attended. We could not hold the National Conference on Corruption and Transparency in April, 1999, as scheduled, because of security concerns about Nato's actions in the FRY. Nevertheless, my Office has begun a major campaign to raise public awareness of the costs and effects of corruption in relation to people's lives and to society, and to increase intolerance for abuse of public office. (The National Conference will now be held in September.)

82. **Statistics:** My Office has always attached considerable significance to adequate and reliable statistical data about the country. As mentioned in my last quarterly report, the BiH Statistics Institute (BiHAS) is operational and published the first Statistical Bulletin in March 1999. The Institute's work is progressing on many fronts, including legislative matters. Surveys of households and the labour force are also being planned. Donors have pledged to assist the State Agency and the Entities' statistical institutes with training and equipment to harmonise methodology and consolidate co-operation among the institutes.

83. **Agriculture:** My Office is actively seeking international assistance and co-operation to support subsistence agriculture. This will be an essential source of income and employment for a large part of population in the short-term. Efforts to support and co-ordinate rural development planning have also been undertaken. The emphasis is on training and planning at the municipal level. Finally, my Office is co-ordinating the efforts of the international community towards land registration related issues.

RETURNS

84. The number of registered minority returns between January and April, according to UNHCR figures, is 3,502, up from 3,060 during the same period in 1998. Despite the effect of the crisis in the Federal Republic of Yugoslavia, both returns and assessment visits have continued apace.

85. Spontaneous and organized returns have continued to take place, including to areas where return was not considered possible just a year ago. For example, the first Serb returns to Ravno took place in May and the first Bosniak returns to Eastern Herzegovina (Republika Srpska) in June. Furthermore, some 455 spontaneous returns have taken place to seven villages in the Prijedor area over recent weeks. While some funding has been secured to support these returns, they indicate the continued need for donor flexibility and the redirection of resources to support returns when and where they take place.

86. Since my last Report, I have established a field presence in Sokolac and my Office has stepped up its dialogue with the local authorities and displaced persons in Foca, Visegrad, Pale, Han-Pijesak and other nearby municipalities, all of which are areas of potential Bosniak return. In most of these areas a tangible commitment has been given by municipal assemblies to enable minority return. In addition a number of reconstruction projects are now underway and I am quietly optimistic about the opportunities there if the international community maintains a steady commitment. In Sarajevo, months of pressure from RRTF members to promote the rule of law is now resulting in an accelerated pace of reinstatement of minorities into their homes, with OSCE and UNMIBH playing a key role in training and advising UN IPTF, local police and authorities on their legal role in the evictions process.

87. Property issues continue to bedevil return. Wide-spread misuse, re-allocation and sale of socially-owned land that refugees and displaced persons fled during the war has proven a major obstacle to return throughout Bosnia and Herzegovina. In many return areas, municipalities have re-allocated former agricultural land, or have demolished war-damaged housing in order to use the land differently. Former cultural and religious sites and private business premises have also been targeted for strategic reallocation. These practices undermine the livelihood and cultural and religious heritage of refugees and displaced persons, in clear violation of Annex 7 of the Peace Agreement. They also threaten to undermine the processes of restitution and privatization. Against this background, I issued a Decision on 26 May, 1999, removing the power of municipalities to re-allocate or dispose in any way of socially-owned property (other than apartments the use of which is regulated by separate laws), if on 6 April, 1992, it was in use for residential, religious or cultural purposes, or for private agricultural and business activities. Any re-allocation decisions of this nature that were made since 6 April,1992 and affect the rights of refugees and displaced people, are now null and void unless significant and lawful construction work has commenced. My Decision is a temporary measure intended to freeze the situation on the ground while more thorough reform undertaken of the legal framework governing land use and restitution. The suspension will be in effect until 31 December, 1999, but may be extended if the legal situation is not satisfactorily resolved by then. It does not apply to the territory of the District of Brcko.

88. On a regional note, I welcome, since my last report, the resumption of Croatian consular days in Banja Luka and hope for a rapid opening of the permanent General Consulate on the same site with full working hours. But while consular services provide Croatian citizens in BiH with essential access to travel documents, other obstacles remain. Refugees have difficulty repossessing their property; and discriminatory legislation and unequal access to reconstruction assistance in Croatia continue to obstruct return. I have expressed my concerns to the Croatian government about these problems. My Office will monitor this process carefully and is working closely with the Return Facilitation Group in Croatia to promote cross-border return.

MEDIA

89. The Federation RTV Draft Law has now gone through its second review by the Federation Government and has been forwarded in its final form to the Federation Parliament. Considering the extensive negotiations which were concluded at the Federation Forum, and considering that other vital reform measures, such as the regulation of Croatian Radio Television (HRT) by the Independent Media Commission (IMC) and the replacement of RTV BiH are linked to the adoption of this law, any further significant amendments will be viewed as an attempt to obstruct the process, and will not be tolerated. If necessary, I will invoke my powers under Annex 10 to impose the Federation RTV Law.

90. The Working Group of the RTV BiH Board of Governors, tasked to produce a framework plan for the establishment of a country-wide broadcast and transmission service, produced the first draft document in June. This will form the basis for future public and political discussion on the formation of a programme service and a public corporation under Annex 9. The Commission on Public Corporations plans to discuss the issue at its next session.

91. Representatives of the OHR, the Independent Media Commission (IMC) and UNESCO met in Sarajevo to discuss possible UNESCO assistance in developing a clear legal structure for media in BiH. It was jointly decided that a priority for UNESCO involvement could be expert assistance with laws on public service broadcasting. An initiative to develop this proposal has now begun.

92. The recent setback in SRT's news coverage, which was a direct result of the fragile political situation in the RS as well as the events in the FRY, has been overcome for the most part with the inclusion in the news programme of interviews with international community representatives as well as increased coverage of the refugee situation in Kosovo. Although free from direct political control, SRT remains excessively nationalist in its tone. The conditions of its license will require SRT to serve all the citizens of the entity and to meet certain minimum public broadcasting standards.

93. The Independent Media Commission has now been in operation for almost one year. The vast majority of six month provisional licenses for some 269 radio and TV stations have been issued to date. This in keeping with the June deadline for completion of the entire licensing process. The IMC is preparing to set out obligations for all public broadcasters which will require financial transparency, editorial independence and respect for ethnic diversity.

94. The IMC is conducting a comprehensive review of media legislation in consultation with parliamentarians from each entity. Freedom of Information legislation is among the proposals being discussed. My office and the IMC regard Freedom of Information legislation as a high priority that needs to be in place this year in both entities.

95. IMC's Regional Advisory Panels (RAP) established by the monitoring department now engage more than 70 media outlets throughout the country in monthly discussions. As the main point of convergence these provide the IMC with genuine and invaluable feedback from the media community and are undoubtedly an ongoing success story for the IMC.

96. BiH currently contains what must be the densest concentration of radio and television in the world. Over 270 broadcasters are using nearly 750 radio and television transmitters. This can only be described as chaotic which is why the ongoing major task of planning and drafting a nation-wide broadcast allocation plan in consultation with the anticipated new BiH Telecommunications Agency (TRA) is of paramount importance. This in turn will lead to long-range planning for digital broadcast technology.

97. Work towards founding a Press Council is ongoing following agreement on a voluntary press code. Together with the OSCE, IMC recently hosted a conference of journalists from both entities to discuss self-regulation. Further initiatives are planned in this field in consultation with journalists.

98. With the official date for the municipal elections now scheduled for spring 2000, work on the Public Service Information Campaign is being rescheduled accordingly. The delay will allow further in-depth work into the issues of most concern to the voters and enable the planning of a more targeted campaign in the run-up to the elections.

99. The single biggest problem for carrying out media reform as outlined in the Madrid document has been the failure to obtain sufficient funds for the strategic projects presented initially at the mini-donors conference in February and subsequently at the main Donors Conference in May. Very little money has been received this year for public broadcasting, and only 50% of the IMC budget has been obtained. In addition, the OBN remains under-funded by a fifth of its budget. As yet, no money has been received for the training programme essential to sustaining the media reforms we have taken pains to install. As so often has been the case, much of the money already been pledged has not yet been disbursed due the problems of institutional and governmental bureaucracies. Without this funding, media reform will fail.

MILITARY MATTERS

100. **De-mining**: Progress continues to be made in the sphere of demining in Bosnia and Herzegovina. Most commercial demining activities are co-ordinated by the Slovenian Trust Fund, which opened in December 1998, and issued its first payments in March 1999. The fund will be the focus for funding demining and victim assistance in the years ahead. Donors are being encouraged to contribute money through the fund, to draw maximum benefit from the "double your money" mechanism, sponsored by the US Government. The fund's target is to raise $14m by the first week in December 1999. To date there US$3.5m have been credited to the Trust and a further US$8.5m have been pledged by donors.

101. In light of the current financial shortcomings and the longer term uncertainties, on 12 May, the Board of Donors agreed to conduct a detailed review of the Bosnian de-mining infrastructure. The aim is to identify and recommend a modified de-mining infrastructure that optimizes the

expenditure of donor contributions. The review is scheduled to begin on 19 July and should report its findings to the board in August 1999.

102. **SCMM**: Since my last report, the Standing Committee on Military Matters (SCMM) has continued to make little progress. The Croats continue to make the most of every opportunity to slow progress towards common security structures. Following the Steering Board PIC on 15 June, 1999, I instructed the Presidents (on 16 June, 1999) to set up a fully functioning permanent Secretariat by 7 July, 1999. The SCMM Secretariat, which meets only once every two weeks, has decided that the next SCMM meeting on 15 July should be used as a forum to endorse my directive. Thus the deadline of 7 July is unlikely to be met and, in the absence of any preparatory work by the Secretariat (who still rely on my office to prepare and translate their agendas and minutes), I fear that little will be achieved by 15 July. I have made it clear that the International Community places great importance on this matter, and I am applying pressure at the highest levels. However, to achieve results, penalties for non-compliance by any faction must be applied. The details of such penalties need to be agreed, otherwise our conditions will be baseless and the opportunity to apply appropriate pressure will be lost.

103. **Civil Aviation**: The Civil Aviation law has been approved by the BiH Council of Ministers and sent to the Parliamentary Assembly for enactment. A representative of the International Civil Aviation Organisation (ICAO) is in BiH to conduct the project funded by the European Commission which is intended to improve the organisation and competence of the Department of Civil Aviation (DCA). OHR is working closely with this representative to draft necessary operational procedures and regulations. The DCA met with officials from Eurocontrol on 28 June, to discuss the Central European Air Traffic System (CEATS). As a result of the meeting, the DCA has recommended to the Council of Ministers that BiH apply for membership in CEATS to participate in the planning and implementation of this regional air traffic control system which is envisioned to be operational in 2006.

104. The European Bank for Reconstruction and Development (EBRD) loan for certain air navigation aids is continuing. Most technical decisions on the locations and nature of these aids have been made and implementation has begun. Since the air corridors were re-opened on 12 April after being closed on 24 March at the beginning of the conflict in Serbia, scheduled air service has resumed at Sarajevo, Mostar and Banja Luka airports. Commercial service was commenced at Tuzla on 19 June.

105. The deadline for transfer of **Mostar Airport** to the City of Mostar remains 16 September, 1999. A consultant has undertaken a study to determine the financial viability of the airport, as well as to make management and marketing recommendations regarding the airport. Requests for Proposals have been sent to numerous airport management firms soliciting proposals for management of the airport. This solicitation has also been advertised in both local and international publications.

106. No provisions have been concluded for the management of the upper airspace of BiH when over-flights are resumed now that the conflict in the FRY has ended. However, negotiations are underway for contracts to provide such services. Additionally, agreements have been reached with the Croatian air traffic management authority for the division of the over-flight revenues for 1998 and the first quarter of 1999.

Annex 1: Assessment of Developments During My Tenure

Some of us have been accustomed to the problem of reconciling territorial unity with national diversity for centuries. The fundamental reality of the Balkans is that tensions between cultural communities, and more specifically between religious communities, constantly resurface, and radical nationalist parties frequently predominate. Bosnia and Herzegovina is a good example of this.

When I arrived in Sarajevo in the early summer of 1997, my intention was not merely to introduce superficial changes by tackling the minutiae of outstanding small-scale problems. Instead I pledged to identify the structures that underpinned radical nationalism, and to transform those structures into the neutral equivalents that exist in Western-style democracies.

This is not to say that to labour and toil over the multitude of intricate difficulties that arise in a post-war society such as that of BiH is unnecessary. Quite the opposite: resistance to democratization can be seen at all levels of government and administration in BiH. And for that reason, implementation not only had to be top-down, but also bottom-up. Perseverance and patience are of paramount importance in the work of the International Community, but it has always been clear to me that without swift and fundamental reform in key areas, democratization will never succeed.

Three Sectors Critical to the Democratization of BiH

From day one, three crucial areas had to be addressed: the media, the police, and the judiciary. All three play a vital role in generating tolerance, undermining extremism, promoting moderation and upholding the rule of law. I should add to this list State identity, and, last but not least, economic recovery and the creation of a modern market economy. However, it is important to note that this fifth area requires more time and effort than the others.

Media

"If Truth is the first casualty of war, it has been missing in action over the Balkans for years."

Reform of the media was clearly the most urgent task before us in the summer of 1997. In the Balkans, political control of the media is endemic. And there is no need to look back at the BiH of the end of 1995 to see this. One has only to consider recent events in the FRY. From local radio stations to Entity or State-level public television, in 1995 the media in BiH was a propaganda weapon for the extreme nationalist parties that dominated the political scene.

During the International Community's first year in BiH, its strategy was to influence indirectly the information received by the BiH public, by creating internationally-sponsored alternative media. (The Open Broadcasting Network and Radio Fern were

set up.) Both have had a salutary effect on the sector. This was demonstrated by the popular recognition of the OBN news programme as the best in the country. Nevertheless, by the summer of 1997, the time was ripe for more direct action.

The most pressing problem was the inflammatory language of the Serb broadcasting company, SRT. Through SRT, the SDS, dominated by Karadzic and Krajisnik, fueled aggression towards other ethnic groups and towards the International Community. For this reason the International Community and SFOR seized the SRT transmitters in the autumn of 1997. Thanks to subsequent pressure from the International Community, SRT was restructured. International supervision and an independent Board of Directors were introduced.

In August, 1998, I established the Independent Media Commission. This has regulatory and disciplinary powers over the media, including the right to allocate broadcast frequencies. It has enabled the International Community and BiH to educate and democratize the media community and to limit the influence of Croatia over Herzegovina, which had previously been overwhelming.

Finally, I undertook to restructure RTV BiH to clear the way for a Federation TV, a fully multi-ethnic state-level television broadcaster. The Board of Governors and the direction of RTV BiH are now independent, and international supervision has been introduced. The Federation institutions are currently considering the Federation TV law.

Police

The RS paramilitary special police was the most problematic element of the police force in 1997. In order to bring the special police into line with international standards, SFOR took steps to curb its powers in the autumn of 1997.

When the International Community arrived in BiH, the IPTF set out to restructure the police in both the Federation and the RS. There has been substantial progress in the democratization and professionalization of both Entities' police forces. In the autumn of last year, the concept of a State Border Police was introduced. This was later endorsed at the December Madrid PIC Conference. The Border Police law is currently being considered by the common institutions. The creation of a border service will be another major step towards democratic policing in BiH.

Judiciary

The initial work of the International Community in the field of the judiciary was to establish two key Dayton institutions: the Ombudsman and the Human Rights Chamber. The Federation is now very close to full implementation of the Human Rights Chamber decisions and its Agent, which represents the authorities before the Chamber, is very active. The RS has further to go: many decisions still require action. The RS Agent has been established but lacks funding and support. The Venice Commission has recommended the possible merging of the Human Rrights Chamber with the Constitutional Court when the mandate of the Chamber expires in 2000.

At the beginning of 1998, I instigated a full review of the many initiatives the International Community had undertaken in the field of the judiciary. My aims were to focus objectives, establish rational priorities and improve co-ordination. That review indicated that the political nomination and removal of judges and prosecutors caused a fundamental insecurity at the very heart of BiH society: radical reform was urgent. The Luxembourg and Madrid conferences endorsed my strategy for an independent selection of judges and prosecutors based on objective standards.

The comprehensive judicial reform strategy called for at the Madrid Conference is now complete. In both Entities, selection laws, which include provisions for adequate salaries, are being finalized and will be presented to the Governments. Furthermore, the UNMIBH Judicial System Assessment Programme is in full operation. Codes of ethics for judges and prosecutors have been adopted by the corresponding associations. Both the reinforcement of the Federation prosecutor, and the passing of legislation on criminal jurisdiction in the Federation Supreme Court are underway. We are reviving the Inter-Entity Legal Commission.

State Identity.

In the Summer of 1997 there was still no true sense of state identity. As soon as I had been granted my Bonn powers, I brought into force on an interim basis provisional laws regulating the symbols of state. These were laws on the flag, on the deadlines for the uniform licence plate system, on the coat of arms, on the design of the Konvertiblna Marka bank notes, and on the National Anthem. In November 1998, I introduced the concept of a State District. This was accepted by the local authorities, financed by the International Community, and embodied in the building of the BiH institutions at Marijin Dvor.

One of the basic state laws that I have imposed is the Law on Citizenship (January 1998). In August 1998 I created another mechanism to strengthen the BiH State: the Independent Experts Commission. This was to prepare the Permanent Election Law, the final draft of which should be ready by the end of this month. In September, I brought the Law on Telecommunications into force. Finally, in February 1999, I confirmed command of the armed forces by the Presidency.

These measures have given the people of Bosnia-Herzegovina a growing sense of their country's identity. They have exposed any resistance to the idea of a BiH State, and so have helped people to identify the main opponents of the country's normalization. They have generated an incipient awareness that the State, as enshrined in Dayton and separate from its constituent Entities, really exists. This has been the true value of these measures.

Economy

Much work has been done to achieve economic recovery and create a modern market economy. There have been advances in all public utilities -- railways, bus lines, roads, navigation, telecommunications, postal services, electricity. The first trains have just started to run again between Sarajevo and Ploce. The introduction of the Konvertiblna Marka, the arrangements for external debt, and the liquidation of the Narodna Bank have been completed. There has been important progress in budgetary and fiscal policy and in customs and trade. The reform of the payment system and the dismantling of payment bureaux are under way. Privatization laws have been adopted and the Privatization Commission has been set up, although other problems, such as those linked to restitution, could still cause some delay. The Social Security Law, the Labour Law and the establishment of the BiH Agency for the Promotion of Foreign Investment are in development. The Law on Foreign Investment was completed in May 1998.

The resources at the disposal of the local authorities and the International Community are so scarce in comparison to the enormous size of the job in hand - wholesale economic reform - that completion of the main tasks will still take time.

Take the creation of the internal BiH market: it is almost complete, and in fact the legislation adopted is producing revolutionary improvements in inter-Entity trade. But we will need to finalize the establishment of points of collection for goods in the Federation, for example, and to harmonize rates for sales taxes on both excisable and non-excisable goods, and create an inter-Entity payment mechanism for social contributions and labour taxes.

What All This Entails: A Changing Country.

Amidst the ruins left by war, we have endeavoured to nurture the basic mechanisms of democratic society: the rule of law, the identity of the State, the creation of a market economy. The International Community has been heading in the right direction . Yet we must continue to insist on these fundamentals. At the same time, roughly half of the refugees and displaced persons created by the war and its immediate aftermath have returned, even if not always to their homes of origin. Finally, one very significant point is that the Sarajevo Declaration seems at last to be on the right track.

Bosnia and Herzegovina has changed radically over the last two years. Freedom of Movement is a reality. Minds are more open. There has been a substantial shift towards the division, or the decline, of radical nationalist parties, on the one hand, and towards the reinforcement of ideological, non-nationalistic parties, such as the Social Democrats, on the other. The media are now more credible, less biased, more independent, less nationalistic. People care more about social and economic issues and less about ethnic strife. Local authorities, which for much of the period often resisted democratization and modernity, have started to co-operate properly with the International Community in its efforts to bring the country forward. People are casting off their wartime mentality.

There is still a long way to go, however. And let me insist on this: without adequate funding, reforms will be jeopardized. Unfortunately, at the Donors' Conference in May, only 30% of the cost of implementing reforms was pledged. Moreover, in some cases - the media in particular - it is difficult for one government to justify support when there is no similar commitment from other nations. The answer is simple: if you want reform to succeed, you must pay for it.

Finally, were it not for the powers I was granted at Bonn and Madrid, there would have been almost no progress. Some Bosnian leaders still seem to see Dayton implementation as a continuation of the war by other means. The proposed downsizing of the SFOR presence will not make things any easier. The High Representative's powers are still indispensable and should continue to be used without hesitation whenever local institutions and authorities fail to support Dayton, or try to impede our work to put Bosnia and Herzegovina back on its feet and enable it progress towards European integration.

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GENERAL

S/1999/799
19 July 1999

ORIGINAL: ENGLISH

LETTER DATED 19 JULY 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward, enclosed herewith, a copy of the letter of Dr. Rodoljub Etinski, Chairman of the Delegation of the Federal Republic of Yugoslavia for Negotiations with the Delegation of the Republic of Croatia on Establishing the Extension of the State Border between the Federal Republic of Yugoslavia and the Republic of Croatia in Sector South and the Solution of the Disputed Issue of Prevlaka, addressed to Dr. Hrvoje Kacic, Chairman of the Delegation for a Lasting Solution of the Security Issue of Prevlaka of the State Borders Commission of the Government of the Republic of Croatia (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

99-21214 (E) 190799

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Annex

Letter dated 14 July 1999 from the Chairman of the Delegation of the Federal Republic of Yugoslavia for Negotiations with the Delegation of the Republic of Croatia on Establishing the Extension of the State Border between the Federal Republic of Yugoslavia and the Republic of Croatia in Sector South and the Solution of the Disputed Issue of Prevlaka addressed to the Chairman of the Delegation for a Lasting Solution of the Security Issue of Prevlaka of the State Borders Commission of the Republic of Croatia

In accordance with their obligations under the relevant United Nations Security Council resolutions, the report of the Secretary-General and the Agreement on Normalization of Relations signed at Belgrade on 23 August 1996, the delegations of the Federal Republic of Yugoslavia and the Republic of Croatia have held four rounds of negotiations so far on establishing the extension of the State border in Sector South and the solution of the disputed issue of Prevlaka (Zagreb, 15 September 1998; Belgrade, 9 October 1998; Zagreb, 23 December 1998; and Belgrade, 9 March 1999).

Following the fourth meeting in Belgrade, the two sides exchanged materials presenting their opinions and argumentation on the legal basis on which each side rests its claims on where the inter-State border extends. These materials have been forwarded to the Secretary-General of the United Nations and the members of the Security Council.

Because of the aggression of the North Atlantic Treaty Organization (NATO) against the Federal Republic of Yugoslavia, the two sides were prevented from continuing their negotiations under normal conditions on the basis of full equality, according to jointly adopted principles and the procedures and principles of conscientious negotiating. By the cessation of the NATO aggression, objective impediments to the continuation of the initiated negotiations on the solution of the disputed issue of Prevlaka have been removed.

The Yugoslav side expresses its readiness to continue the negotiations without delay with the aim of reaching a solution for this disputed issue as soon as possible.

Considering that the last meeting of the delegations was held in Belgrade and that, in accordance with the adopted rules of the negotiating procedure (item 1), "the delegations of the two sides shall meet alternately in the territory of one and the other side", we expect that Croatia will soon propose

that the next meeting be held in Zagreb. The Yugoslav side considers that a serious and comprehensive consideration of the presented argumentation should take place at the next meeting, in accordance with the principles of conscientious negotiating and the obligations under the relevant resolutions of the Security Council.

(Signed) Dr. Rodoljub ETINSKI
Ambassador
Chairman of Delegation

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Security Council

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GENERAL

S/1999/800
19 July 1999

ORIGINAL: ENGLISH

LETTER DATED 19 JULY 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to forward, enclosed herewith, the letter of Mr. Momir Bulatovic, President of the Federal Government of the Federal Republic of Yugoslavia, of 16 July 1999, regarding your report on the United Nations Interim Administration Mission in Kosovo and Metohija of 12 July 1999 (S/1999/779) submitted to the Security Council pursuant to paragraph 20 of its resolution 1244 (1999) (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

Annex

Letter dated 16 July 1999 from the President of the Federal Government of the Federal Republic of Yugoslavia addressed to the Secretary-General

The Government of the Federal Republic of Yugoslavia has carefully examined your report on the United Nations Interim Administration Mission in Kosovo and Metohija of 12 July 1999 (S/1999/779) submitted to the Security Council pursuant to paragraph 20 of its resolution 1244 (1999) of 10 June 1999. The importance of the report is all the greater since some aspects of it may have far-reaching consequences, not only on the process of the stabilization of the overall situation in Kosovo and Metohija, but in the wider region as well.

Security Council resolution 1244 (1999) has unequivocally reaffirmed the sovereignty and territorial integrity of the Federal Republic of yugoslavia in Kosovo and Metohija and it clearly defined a framework for the international civil and security presences in that Serbian province. Strict respect for the sovereignty and territorial integrity of the Federal Republic of Yugoslavia is the only valid basis for the activities of all participants in the implementation of resolution 1244 (1999) and for a future political settlement for Kosovo and Metohija. Acts that violate this principle are not in the interest of stabilizing the situation nor of its political resolution.

As you will recall, the Federal Republic of Yugoslavia has fulfilled all its obligations under Security Council resolution 1244 (1999) and related documents. Therefore, it rightfully insists that all the other actors, primarily the United Nations Interim Administration Mission in Kosovo and Metohija (UNMIK) and KFOR, do the same. The current situation in Kosovo and Metohija, however, indicates that compliance with the letter and spirit of resolution 1244 (1999) to date has been far from satisfactory. Also, the report gives rise to serious review of disrespect for the letter and spirit of the resolution, or major overstepping of the mandate and authority of UNMIK.

The report rightly focuses attention on the very grave security problems in Kosovo and Metohija that have arisen following the withdrawal of the Yugoslav security forces. For the sake of impartial information of the members of the Security Council, it is necessary to underline the fact that these have primarily been a result of the security gap after the pull-out of the Yugoslav security forces and the lack of any control over entry into the Federal Republic of Yugoslavia via the unguarded border crossings with Albania and the former Yugoslav Republic of Macedonia. Taking into account the admission by KFOR and UNMIK officials that they do not have a force sufficient to ensure either full security of Yugoslav borders or personal and property safety in Kosovo and Metohija, we believe that, pursuant to resolution 1244 (1999) (para. 4), and its annex II (para. 4), there is a need for an early return of representatives of the Yugoslav Army (VJ) and police (MUP) and other competent authorities of the Federal Republic of Yugoslavia at international border crossings, in order to establish full and effective customs, passport and visa services and criminal, sanitary, phytopathological and other controls.

Owing to the uncontrolled crossing-over of armed groups of Albanian terrorists and bandits, systematically abusing, intimidating, abducting and killing non-Albanian populations and looting, stealing and destroying their property, as well as making forced entries into people's homes, burning churches and places of worship, there followed a massive exodus of Serbs and Montenegrins from Kosovo and Metohija. Since the United Nations Mission arrived, more than 130,000 persons have been forced out; over 60 have been killed (some were massacred and cut to little pieces); more than 190 have been abducted or gone missing. Approximately 20 Serbian villages have been burned down. In Pristina alone, five monuments of culture have reportedly been pulled down. All this indicates that KFOR and UNMIK need to take, without delay, energetic measures to disarm, urgently and completely, members of the so-called "KLA" and other armed Albanian bandit groups terrorizing the people of Kosovo and Metohija. This is a key precondition for an unimpeded and safe return of all displaced persons and for the maintenance of the multi-ethnic, multi-confessional and multicultural nature of the Province and, thereby, the successful implementation of Security Council resolution 1244 (1999).

The Yugoslav Government raises major objections regarding the concept of the mandate and powers of UNMIK as outlined in paragraphs 34 to 42 of the report, in contravention of the provisions and the spirit of resolution 1244 (1999) reaffirming the territorial integrity and sovereignty of the Federal Republic of Yugoslavia.

In this respect, we single out, in particular, a statement (contained in paragraph 35 of the report) that the Security Council, in its resolution 1244 (1999), has de facto vested in the interim civil administration authority "over the territory and people of Kosovo". This not only introduces a non-existent category of the people of Kosovo, but suggests that UNMIK takes over from the legitimate governmental bodies and authorities in the Federal Republic of Yugoslavia their inviolable sovereignty over the executive, legislative and judicial authority in Kosovo and Metohija. This is a violation, in particular, of paragraph 10 of resolution 1244 (1999), as confirmed in annex II, paragraph 5 clearly defining the limits of the "interim administration mission".

Indeed, resolution 1244 (1999) authorizes the Secretary-General of the United Nations to establish "an international civil presence" in Kosovo and Metohija (paragraphs 10 and 11), with a view to ensuring an interim administration and a substantial autonomy within the Federal Republic of Yugoslavia. In accordance with the international standards, "a substantial autonomy" implies that some specific powers and rights, such as the right to the use of language, education and information in one's own tongue, protection and fostering of one's own culture and tradition as well as local administration affairs, are transferred to the autonomous region, which takes place within the framework of a broader constitutional and legal order in a sovereign State.

The Special Representative of the Secretary-General does not and cannot enjoy the powers to decide at his own discretion the validity of Yugoslav laws in Kosovo and Metohija, because it is an integral part of the constitutional, legal, economic, financial, fiscal, monetary, foreign currency, customs, transport and other systems of the Republic of Serbia and those of the Federal

Republic of Yugoslavia. That, in turn, implies the obligation on the part of UNMIK and KFOR to respect and enforce the applicable Yugoslav laws and to enable the unhindered activities of administrative and judicial authorities and other institutions and public services of the Federal Republic of Yugoslavia and the Republic of Serbia. Particularly unacceptable are efforts aimed at undermining the economic system of the Federal Republic of Yugoslavia - the essential elements of which are the monetary, tax and customs systems - as an inalienable category of sovereignty and accomplishment of the market economy. There is no basis whatsoever for it in resolution 1244 (1999).

Paragraph 37 of the Secretary-General's report, implying a violation of the right to private and State-owned property, is unacceptable as it is not based either on the Charter or on any other international legal document, including resolution 1244 (1999). Furthermore, the positions, in paragraphs 39 and 40, on the legislative, judicial and executive functions of the Special Representative of the Secretary-General are not based on international law or on resolution 1244 (1999). They represent a violation of the universal principles concerning the division of power into legislative, executive and judicial and cannot be the proper way of successfully implementing resolution 1244 (1999), especially not for a democratic and political solution.

There is also a need to implement fully the Yugoslav laws on the visa regime and on identification documents (identity cards, passports, etc.) that are in force, because the issue of citizenship and residence is one of the most important elements in the enjoyment of human and civil rights and in the protection of these rights, including the voting rights of individuals. In this context, unacceptable also is the view, presented in the report, that Serbs should be treated as an ethnic minority in their own State and the attempt to select for them, while ignoring their legitimately elected representatives, individuals and political parties to represent their interests. The principled positions on this have been explained in greater detail in the statement of the Federal Republic of Yugoslavia of 6 July 1999 and in the statement of the Government of the Republic of Serbia of 5 July 1999, as well as in the letters of 28 June and 7 July 1999 from Federal Minister for Foreign Affairs, Živadin Jovanović, to the Security Council and to the Secretary-General of the United Nations.

The Federal Republic of Yugoslavia, for its part, remains open to full cooperation with the international mission in Kosovo and Metohija and stands ready to conclude a comprehensive agreement that will regulate all matters related to cooperation in the implementation of resolution 1244 (1999).

In anticipation that you will use your influence with the Security Council to have our comments acknowledged by it, I extend to you the assurances of my highest consideration.

(Signed) Momir BULATOVIĆ

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S/1999/801
20 July 1999

ORIGINAL: ENGLISH

LETTER DATED 19 JULY 1999 FROM THE PERMANENT REPRESENTATIVE OF GEORGIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith the text of a statement of the Ministry of Foreign Affairs of Georgia on the intention of the Abkhaz separatist authorities to hold the so-called presidential elections in the fall of 1999 in Abkhazia, Georgia (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Peter CHKHEIDZE
Ambassador
Permanent Representative

99-21273 (E) 200799

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Annex

Statement issued on 19 July 1999 by the Ministry of Foreign Affairs of Georgia

It has come to the attention of the Ministry of Foreign Affairs of Georgia that the Abkhaz separatist authorities are planning to hold the so-called presidential elections in the fall of 1999.

The Ministry of Foreign Affairs of Georgia expresses its deep concern at this provocative action and states that at a time when two thirds of the population of Abkhazia, Georgia, is disenfranchised and expelled from the region, the holding of elections, at any level, in Abkhazia, Georgia, is illegitimate. It constitutes an attempt to establish the demographic changes as a result of the conflict and to obstruct the peace process as a whole, all in contravention and outright disregard of Security Council resolutions, decisions of the Organization for Security and Cooperation in Europe and those of the Council of the Heads of State of the Commonwealth of Independent States.

The Ministry of Foreign Affairs of Georgia states that the holding of fair and free elections in Abkhazia, Georgia, will become possible only after agreement has been reached on the political status of Abkhazia within internationally recognized borders of Georgia, when all the residents of the region have the right to vote and to freely express their choice, as specified in the statement of the President of the Security Council of 22 October 1996 (S/PRST/1996/43).

The Ministry of Foreign Affairs of Georgia expresses confidence that the United Nations, Friends of the Secretary-General, as well as international organizations will give a due assessment to the provocative actions of the Abkhaz side and will severely condemn any attempt to subvert the process of the comprehensive political settlement of the conflict in Abkhazia, Georgia.

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Security Council

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S/1999/802
20 July 1999
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 20 JULY 1999 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED ARAB EMIRATES TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith an excerpt from the statement made by His Excellency Mr. Sayf Sa'īd bin Sā'id, Under-Secretary at the Ministry of Foreign Affairs of the United Arab Emirates, to the Islamic Conference of Foreign Ministers at its twenty-sixth session, held in Ouagadougou, Burkina Faso, from 28 June to 2 July 1999. The excerpt concerns Iran's occupation of the three islands belonging to the United Arab Emirates, namely the Greater Tunb, the Lesser Tunb and Abu Musa.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Mohammad J. SAMHAN
Ambassador
Permanent Representative

Annex

Excerpt from the statement made by the Under-Secretary at the Ministry of Foreign Affairs of the United Arab Emirates to the Islamic Conference of Foreign Ministers at its twenty-sixth session, held in Ouagadougou from 28 June to 2 July 1999

The promotion of security and stability in the Arabian Gulf region and the endeavour to resolve disputes between States and eliminate the causes of tension by peaceful means are among the priority concerns of my country. The United Arab Emirates has, accordingly, pursued a judicious policy in calling for a peaceful solution to the issue of Iran's occupation of the Greater Tunb, the Lesser Tunb and Abu Musa, three islands belonging to the United Arab Emirates. It has called upon the Islamic Republic of Iran, a neighbouring Muslim country with which we are linked by relations of neighbourliness, religion and common interest, to respond positively to the repeated calls made by His Highness Sheikh Zayed Bin Sultan Al Nahyan, the Gulf Cooperation Council, the League of Arab States and the Damascus Declaration countries concerning the need for action to resolve the dispute through direct negotiations or by referral to the International Court of Justice. However, Iran's practices on the islands do not attest to good faith but rather have the goal of perpetuating the occupation through the adoption of numerous measures of a military and civil nature that have the purpose of altering their demographic, legal and historical status. Such practices, including the conduct of military exercises on our occupied islands and in our territorial waters, together constitute an act of provocation that brings danger and instability to the region, does nothing to promote relations of good neighbourliness and is incompatible with the principles of tolerance enshrined in our Islamic religion.

We have recently noted that the trends in Iranian policy proclaimed by President Mohammad Khatami are of a positive nature, and my country has welcomed them and it has expressed its readiness to engage with them and encourage them. With the passage of time, however, it appears that these trends exclude the issue of Iran's occupation of the three islands, and this prompts us to doubt the credibility of Iran's declarations. We are nevertheless treating Iran with respect, on the basis of good neighbourliness, our historical and Islamic links and our commitment to the peaceful resolution of disputes, in order to move ahead with our relations and our joint cooperation. My country hopes that this topic will be reflected in the final communiqué of the Conference.

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Security Council

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S/1999/803
20 July 1999

ORIGINAL: ENGLISH

QUESTION OF EAST TIMOR

Report of the Secretary-General

1. The present report is submitted in pursuance of paragraph 14 of Security Council resolution 1246 (1999) of 11 June 1999, in which the Council requested me to keep it closely informed of the situation of East Timor and to continue to report to it every 14 days on the implementation of its resolutions and of the Tripartite Agreements and on the security situation in East Timor.

I. CURRENT STATUS AND DISPOSITION OF THE UNITED NATIONS MISSION IN EAST TIMOR

2. There has been marked progress in the operations of the United Nations Mission in East Timor (UNAMET) since my last report to the Council, of 22 June 1999 (S/1999/705). Voter registration began on 16 July 1999 in East Timor and at registration sites around the world. On the opening day, all but 5 of the planned 200 registration centres in East Timor were operational. Four centres in the village of Zumulai in the Ainaro District did not open for security reasons following a clash on 15 July between pro-integration militia members and villagers, and one centre in Alas in the Manufahi District was inaccessible. Centres in both areas were opened by 18 July. Thus, the first few days of registration have proceeded relatively peacefully, the East Timorese turning out to register in substantial numbers.

3. There are also a number of positive developments regarding a series of technical aspects of the consultation process. The Governments of Indonesia and Portugal have agreed to deploy up to 50 official observers each at registration and polling sites in and outside East Timor, as provided for by the Agreements of 5 May. The terms of reference for those official observers have been agreed and a code of conduct for both the official observers and all other accredited observers of the consultation process has been completed. More than 200 observers have been accredited to date. Rules and regulations governing the documentation required for registration, the methods for the registration challenge and appeal process, and other electoral issues have been put into effect. In addition, to ensure the accuracy and integrity of registration information, UNAMET has made arrangements for the computerization of worldwide registration data in Australia. The three international electoral experts who

comprise the independent Electoral Commission, Patrick Bradley, Johan Kriegler and Sohn Bong-scuk, have arrived in East Timor and assumed their responsibilities of assessing the consultation process and hearing complaints, challenges and disputes thereon.

4. UNAMET is now fully operational, and the deployment of international personnel is complete but for the final few. The number of United Nations Volunteers (UNVs) is now close to the full complement of 425; most of them have been assigned as electoral officers in the field (the balance being medical and support staff). The modest shortfall, now being filled by Mission personnel from the Dili headquarters, is expected to be made up by further recruitment of UNVs.

5. The civilian police component, headed by Alan James Mills (Australia), is now fully operational and has established good working relations with the local police. United Nations police have moved out to the regional centres and are in the process of deploying to all registration sites. As at 19 July, there were 243 civilian police personnel, which will be increased to 261 by the end of this week. The remaining police personnel are expected soon after.

6. The Chief Military Liaison Officer, Brigadier Rezaqul Haider (Bangladesh), assumed his functions on 8 July. He and his staff have established contact with the Indonesian army in Dili and all other districts as well as in Jakarta and Denpasar. As at 19 July, there were 47 military liaison officers. The remaining three are expected by the end of this week.

7. Political officers having been assigned to each regional centre, the political affairs section of UNAMET is now fully deployed. This has enhanced the Mission's capacity to monitor the fairness of the political environment and assess the security situation. Staff continue to maintain contact with pro-autonomy and pro-independence groups and with the Indonesian authorities.

8. The Mission's public information component has intensified its activities. It is disseminating information regarding the Agreements and explanatory material designed to help voters understand the process. It has produced a serialized version of the proposed autonomy framework together with a simple explanatory text for publication in the local press and for broadcast by Radio UNAMET and UNAMET TV, which now transmit programming daily. In addition, 50,000 copies of the proposed autonomy framework are being printed for distribution this week. Copies of the main Agreement of 5 May will also be distributed in the coming weeks. UNAMET has produced information leaflets, in batches of 20,000 each, explaining the purpose of the Mission, the procedures for registering to vote and the documentation requirements for registration, how to register without the required documents, what happens in a registration centre and where the registration centres are located.

II. POLITICAL AND SECURITY ISSUES

9. As the Council is aware, paragraph 3 of the Agreement of 5 May on security arrangements (A/53/951-S/1999/513, annex III) calls for the Secretary-General to ascertain, prior to the start of the registration, and based upon the objective

evaluation of UNAMET, that the necessary security situation exists for the peaceful implementation of the consultation process. In my last report (S/1999/705), I informed the Council of my decision to postpone for three weeks my determination of the security conditions, in order to allow UNAMET to reach full deployment and in view of the serious security situation which existed at the time. The report highlighted in particular the effects of the activities of pro-integration militias, believed by many observers to be acting with the acquiescence of members of the Indonesian army. It also described the impact of those activities, particularly in terms of the displacement of large numbers of the population and the limited capacity of pro-independence activists to express themselves freely. The widely publicized incidents involving UNAMET personnel which occurred between 29 June and 4 July in Maliana, Viqueque and Liquica served to highlight the larger, continuing problem which militia activities posed to a free consultation process.

10. On 10 July I wrote to the President of the Security Council to inform him that the security situation in East Timor remained serious, and proposed that the start of registration be postponed from 13 July to 16 July, to allow the Government of Indonesia to take concrete steps to improve the security situation, according to specific criteria provided by me. In my letter of 14 July, I informed him that, in view of the positive assurances by the Indonesian authorities that they would take steps to fulfil those criteria, the registration could commence on 16 July. However, the letter pointed out that the security situation in the Territory as a whole remained serious, and that it was not possible for me to conclude that the security conditions existed for the peaceful implementation of the popular consultation. I noted that there had not yet been time to properly assess how far steps taken by the Government of Indonesia would result in an improvement of the situation. I also reflected my determination that UNAMET should not be deterred in discharging its responsibilities under the Agreements of 5 May.

11. The Council will recall that my Personal Representative, Jamsheed Marker, made an extended visit to the region during the latter part of June and early July. He met with President Habibie and senior cabinet ministers of the Government of Indonesia and held constructive talks regarding UNAMET and the situation in East Timor. My Special Representative for the East Timor Popular Consultation, Ian Martin, and my Deputy Personal Representative for East Timor, Francesc Vendrell, also met on 7 July in Jakarta with the Minister of Defence and Chief of the Armed Forces, General Wiranto, and on 12 July in Dili with the Minister for Foreign Affairs, Ali Alatas, to discuss the security situation. At all those meetings, the Government of Indonesia reaffirmed its assurances that affirmative steps would be taken to improve the security situation. As a constructive step, President Habibie last week dispatched 14 senior members of his cabinet to East Timor to show the commitment of the Government of Indonesia to the popular consultation.

12. Another encouraging development is that there have been no further incidents in which UNAMET staff or property have been attacked or seriously threatened. The registration process has moreover proceeded relatively peacefully so far. The serious efforts by the Indonesian authorities to provide the necessary security for UNAMET to discharge its responsibilities have contributed to this positive trend.

13. Furthermore, in recent meetings in Dili with my Special Representative, members of the Indonesian Government Task Force and police and military authorities have made further encouraging commitments to improving the security situation. They have undertaken to rein in the militias by disarming persons who brandish arms in public, arresting and prosecuting those who carry out, incite or threaten violence, and closing down militia roadblocks. In addition, Indonesian military commanders have issued orders requiring impartiality on the part of all military personnel and prohibiting their public carrying of arms except when performing official duty on the orders of a unit commander.

14. On the other hand, much remains to be done to realize the assurances of the Government on the ground. Many of the activities of the militias and related security problems that have been reported previously to the Council continue to be a source of serious concern. Such activities, which have led to the displacement of many East Timorese and denied them basic security and freedom, with the clear intention of influencing political choice, continue to pose a fundamental challenge to a credible consultation process. The security situation remains serious in the western districts of Liquica, Ermera, Maliana and Suai, but militia intimidation is also prevalent in some eastern districts, including Viqueque and Manatuto. UNAMET also continues to seek information regarding reports made by Indonesian authorities of violent activities by the Armed Forces for the National Liberation of East Timor (Falintil), and continues to emphasize to pro-independence supporters the need for utmost restraint. In this regard, it should be recalled that paragraph 1 of the Agreement on security arrangements (A/53/951-S/1999/513, annex III) provides that a free, secure environment devoid of violence or other forms of intimidation is a prerequisite for the holding of a free and fair ballot in East Timor.

15. The plight of thousands of internally displaced persons forcibly relocated or intimidated into fleeing their homes has continued to be a major concern. After a highly publicized pro-integration militia attack in Liquica on a convoy of non-governmental humanitarian organizations, accompanied by Mission personnel, that was returning from an assistance mission to displaced persons, UNAMET, together with representatives of the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund and the International Committee of the Red Cross, has entered into discussions with Indonesian authorities aimed at ensuring that adequate support reaches those who need it. In addition to its humanitarian dimensions, the problem of the internally displaced has a direct bearing on the prospects for holding a free and fair vote. By the count of some observers, a considerable number of the potential voters have been displaced from tneir homes and are either under the control of the militias, in sanctuary in church compounds or in hiding in remote areas of the Territory. A resolution of the problem of the internally displaced is given added urgency by the requirement that voters register and vote in the same place. Many of the displaced do not have access to registration centres while others might register where they are now living and later return to their homes before the ballot. UNAMET electoral staff are developing plans to assist displaced persons to participate in the popular consultation process.

16. It cannot be said as yet that optimal conditions exist for all competing political factions in East Timor. In recent weeks, the National Council of Timorese Resistance has reopened offices in Dili and Baucau. In several

districts, the authorities have until recently stated that they will not permit the National Council of Timorese Resistance to operate openly, although there have been recent indications that such attitudes will no longer be tolerated by the Government. Access by pro-independence groups to the media, and their ability to hold meetings, remains limited. At the same time, pro-autonomy forces have continued to campaign, although the designated campaigning period is not due to begin until early August. UNAMET has twice presented to the Indonesian Government Task Force substantial evidence of public officials using their offices and public funds to campaign for autonomy and exert pressure on civil servants to vote for autonomy, which are in violation of the Agreement regarding modalities (A/53/951-S/1999/513, annex II).

17. There has been encouraging progress in bridging the deep divisions between the East Timorese parties. I welcome the agreement to end hostilities signed in Jakarta on 18 June between pro-independence and pro-integration leaders under the auspices of the Commission on Peace and Stability. Also noteworthy was the understanding, reached in principle, as part of the discussion on a code of conduct, providing for a ceasefire, the cantonment of Falintil, pro-integration armed forces and members of the Indonesian army, as well as movement towards disarmament. The Commission has yet to convene talks on the modalities to carry out those agreements. UNAMET continues to seek to be a full and active participant in all Commission meetings and activities and is willing to provide advice and assistance to permit the implementation of the agreements and arrangements intended to bring about stability in the period before and after the popular consultation.

18. The reconciliation efforts of the Bishops of Dili and Baucau resulted in the Dare II Conference, held from 25 to 30 June in Jakarta, which brought together all important leaders from inside and outside East Timor. The Conference ended with the issuing of a series of "points of convergence", including agreement by the participants to accept the outcome of the popular consultation, but the participants could not agree on a proposal to set up a representative joint commission to continue the dialogue prior to the ballot.

19. A meeting of senior officials of Indonesia and Portugal met on 15 and 16 July in New York under the chairmanship of my Personal Representative. Its purpose was to begin discussions regarding East Timor beyond the ballot date, focusing in particular on the arrangements which will be necessary for the period between the ballot and the implementation of the result, and also for the implementation of the result under either outcome. The parties agreed to continue these discussions at a technical level in the near future.

III. OBSERVATIONS

20. As indicated above, there have been positive developments with regard to security in East Timor. This has been evidenced by the fact that the registration of voters for the East Timor popular consultation has proceeded relatively peacefully, with a strong turnout. UNAMET staff security, which had been a concern because of attacks and threats by the militia, has improved. Nevertheless, while UNAMET is continuing with the operational phases of the popular consultation, there remain many concerns regarding the security of the

process as a whole. In particular the activities of armed civilian groups continue to challenge the fundamental security which all East Timorese deserve to participate fully in a credible consultation process. As stated in my letter of 14 July to the President of the Council, I shall make another assessment of the security situation, based on the objective assessment of UNAMET, halfway through the registration process. In making that determination, all aspects necessary to permit the peaceful implementation of the consultation process, in accordance with the security criteria which I have communicated to the Government of Indonesia, will be considered. I remain confident that the Government of Indonesia will take further determined measures to improve the situation, to ensure that meaningful and visible progress continues to be made in these matters, in keeping with its undertakings in the Agreements of 5 May. I count on the support of the Security Council in ensuring that this process will go forward, so that those who would resist it will understand the determination of the international community to assist the parties to the Agreements of 5 May in providing to the East Timorese the opportunity to express their will freely.

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S/1999/804
20 July 1999

ORIGINAL: ENGLISH

REPORT BY THE SECRETARY-GENERAL CONCERNING THE CREDENTIALS OF THE ALTERNATE REPRESENTATIVES OF SLOVENIA ON THE SECURITY COUNCIL

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 19 July 1999 from the Minister for Foreign Affairs of the Republic of Slovenia, stating that Ms. Irena Mernik and Mr. Andrej Benedejčič have been appointed alternate representatives of Slovenia on the Security Council.

In the opinion of the Secretary-General, these credentials are in order.

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ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL CONCERNING THE SITUATION IN ABKHAZIA, GEORGIA

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1225 (1999) of 28 January 1999, by which the Security Council decided to extend the mandate of the United Nations Observer Mission in Georgia (UNOMIG) until 31 July 1999 and requested me to continue to keep it regularly informed and to report after three months from the date of the adoption of the resolution on the situation in Abkhazia, Georgia. Pursuant to that request, I submitted a report to the Security Council on 21 April 1999 (S/1999/460). The present report provides an update of the situation as of 10 July 1999.

2. UNOMIG continues to be headed by my Special Representative for Georgia, Liviu Bota. He is assisted by the Chief Military Observer, Major General Tariq Waseem Ghazi (Pakistan). The strength of UNOMIG, as of 10 July 1999, stood at 102 military observers (see annex).

II. POLITICAL ASPECTS

3. During the reporting period, my Special Representative, together with representatives of the Russian Federation, in its capacity as facilitator, the Organization for Security and Cooperation in Europe (OSCE) and the group of Friends of the Secretary-General (France, Germany, Russian Federation, United Kingdom of Great Britain and Northern Ireland and United States of America), continued efforts to reduce tension along the ceasefire line, implement confidence-building measures and achieve agreement on the safe return of refugees and internally displaced persons (IDPs) to the Gali district and on the rehabilitation of the economy of Abkhazia, Georgia.

4. The eighth session of the Coordinating Council of the Georgian and Abkhaz sides, chaired by my Special Representative, was held at Sukhumi on 29 April 1999. As at previous sessions, the Georgian delegation was led by State Minister Vazha Lordkipanidze, and the Abkhaz delegation by the de facto Prime Minister, Sergei Bagapsh. Representatives of the Russian Federation as facilitator, OSCE and the group of Friends of the Secretary-General participated in the session.

5. The agenda of the Coordinating Council session included issues relating to the lasting non-resumption of hostilities and security; refugees/IDPs; and economic and social problems. It also included the exchange of information by the two sides concerning missing-in-action cases. After its deliberations, the Council decided, inter alia, to reinvigorate the activities of its three working groups; to discuss further the draft "Protocol concerning a Joint Group for Establishment of Facts concerning Violations of the Moscow Agreement of 14 May 1994 and Terrorist and Subversive Acts"; to continue bilateral talks on the creation of security conditions for returning refugees/IDPs; and to support the activities of the Joint/Bilateral Coordination Commission for Practical Questions and of the respective missing-in-action commissions of the two sides. On the same occasion, the head of the Georgian delegation and representatives of the group of Friends of the Secretary-General met separately with the Abkhaz leader, Vladislav Ardzinba.

6. As part of the Geneva process, my Special Representative convened a meeting of the Georgian and Abkhaz sides on confidence-building measures, led by the State Minister and the de facto Prime Minister, respectively, in Istanbul, at the generous invitation of the Government of Turkey, from 7 to 9 June. The Minister for Foreign Affairs of Turkey Ismail Çem, addressed the participants at the opening and closing sessions. In addition, Abkhaz leader Ardzinba was present in Istanbul and attended the sessions. The Georgian and Abkhaz delegations included military field commanders and others exercising real authority in their respective communities. The meeting focused primarily on the question of the return of refugees and displaced persons, and on economic issues. In addition, participants in the meeting took advantage of the opportunities it afforded for bilateral contacts.

7. At the meeting, agreement was reached, inter alia: (a) to hold a meeting within one week to address the question of the exchange of hostages and detainees; (b) to work with the UNOMIG Chief Military Observer in the joint investigation of incidents that might threaten to destabilize the situation in the zone of conflict; (c) to revive the activity of the working groups within the framework of the Coordinating Council, including the convening of all three groups within one week after the Istanbul meeting; (d) to facilitate the implementation of the 24 September 1998 Protocol concerning the stabilization of the situation along the line of separation of forces; (e) to develop cooperation at the local level, particularly in the economic area; (f) to organize meetings between political and social figures of the two sides; (g) to elaborate and create mechanisms for the regular exchange of information, including for cooperation in the field of the mass media; (h) to exchange information and carry out consultations among the law enforcement organs for the prevention of illegal acts; and (i) to arrange a meeting among representatives of the respective missing-in-action commissions within one month.

8. Subsequently, Working Group I of the Coordinating Council met on 25 June (see paras. 21-22 below). It is envisaged that the ninth session of the Coordinating Council of the Georgian and Abkhaz sides, together with Working Groups II and III, will be convened in early August 1999.

9. In connection with the meeting of Working Group I, the Personal Representative of Abkhaz leader Ardzinba to the peace process, Anri Jergenia,

met separately with the Georgian State Minister, Vazha Lordkipanidze, following an agreement reached by the two during the Istanbul meeting. On the agenda of their tête-à-tête meeting were the issues of the return of refugees/IDPs, a mechanism for joint investigation and the exchange of hostages and detainees. During the course of the meeting the sides made some progress on these issues. Mr. Lordkipanidze and Mr. Jergenia had met earlier in the reporting period, on 26 April in Tbilisi, and had discussed the same three issues.

10. The two meetings on confidence-building measures held to date, in Athens and in Istanbul, were successful in providing a forum for both the development of direct bilateral ties at several levels of society and the elaboration of concrete projects for cooperation in a variety of fields. During the meetings, many of the participants met their former colleagues from the other side for the first time since the end of fighting in 1993. It is envisaged that the next such meeting, which will follow up and expand on the work of the first two, will be convened late this fall in Yalta, at the generous invitation of the Government of Ukraine.

11. On 25 June, UNOMIG facilitated the travel to Tbilisi by the director of an Abkhaz wine-producing firm, who reached preliminary agreements with his Georgian counterparts on plans for business cooperation. Such activities are important for the development of bilateral contacts between the sides, and they work to create vested interests among local residents in the maintenance and growth of peace and stability. The Joint/Bilateral Coordination Commission for Practical Questions, and particularly the efforts of its Executive Secretary, Zurab Lakerbaia, continue to be instrumental in fostering economic cooperation between the sides.

12. Meanwhile, preparatory work continues on the issue of the political status of Abkhazia, Georgia. My Special Representative is working with academic institutions to elaborate specific proposals applicable to the context of Abkhazia, Georgia, concerning the distribution of constitutional competences between Tbilisi and Sukhumi. My Special Representative intends to submit them for the consideration of the sides after having discussed them extensively with the Russian Federation as facilitator, OSCE and the group of Friends of the Secretary-General.

13. During the reporting period, issues related to the settlement of the conflict in Abkhazia, Georgia, were also discussed by representatives of the Georgian side with a number of foreign leaders and officials in the framework of bilateral contacts, as well as in international forums, including the Commonwealth of Independent States (CIS), the North Atlantic Treaty Organization (NATO) and the Council of Europe.

14. On 4 June 1999, at its session in Minsk, the CIS Council of Foreign Ministers reviewed the implementation of the "Decision on further measures to settle the conflict in Abkhazia, Georgia" (S/1999/392), adopted by the summit meeting of the CIS heads of State on 2 April 1999. The Council noted that the timetable envisaged in the decision regarding steps to be taken in the peace process remained unimplemented and that therefore the mandate of the CIS peacekeeping force had not yet been extended. The Council further decided that consultations should be conducted between the Russian Federation and the

Georgian side before 1 August 1999, with participation by the CIS Executive Committee, in order to elaborate measures for the implementation of the CIS decision of 2 April, including those concerning the extension of the mandate of the CIS peacekeeping force.

15. During the reporting period, each party to the conflict faced domestic pressure in connection with elections scheduled to be held this fall. The Abkhaz "presidential" elections will serve as a popular referendum on the leadership of Mr. Ardzinba. In the rest of Georgia, most political figures are focused primarily on the fall parliamentary elections and the spring 2000 presidential elections. The President's party, Citizens' Union of Georgia, is likely to face challenges from both the left and the right of the political spectrum, and also from the regions. Tamaz Nadareishvili, Chairman of the Supreme Council of the Autonomous Republic of Abkhazia, has formed a political party, the Party for the Liberation of Abkhazia, to contest the elections. In this climate, it is unlikely that the Government of Georgia will choose to take risky steps in the settlement process of the conflict in Abkhazia, Georgia.

III. OPERATIONS OF THE UNITED NATIONS OBSERVER MISSION IN GEORGIA

16. Since I last reported to the Security Council on 21 April 1999 (S/1999/460), UNOMIG has continued to carry out its mandate without structural or operational change. The concept of limited patrolling remains the basis of operations, while the team bases are closed. Despite this curtailed scope of operations, UNOMIG has been able to verify and report satisfactorily on the sides' compliance with the Moscow Agreement on a Ceasefire and Separation of Forces of 14 May 1994 (S/1994/583, annex I) and the Gagra Protocol of 25 May 1998 (S/1998/497, para. 4). In particular, in compliance with the decisions taken by the Coordinating Council on the separation of forces along the ceasefire line, UNOMIG has actively involved local commanders in implementing agreed measures on the ground through meetings, observation, reporting and protests. The persistence of UNOMIG has resulted in a significant reduction of strength and deployment of the armed personnel of the two sides, particularly the troops of the Georgian Interior Ministry, along the ceasefire line.

17. Substantial progress has been made towards setting up a joint investigation mechanism for violations of the 1994 Moscow Agreement, in pursuance of a decision taken by the fifth session of the Coordinating Council, held on 2 September 1998. Consistent negotiations were held at subsequent Coordinating Council meetings as well as at the meeting in Istanbul. They have resulted in the acceptance of a modified UNOMIG draft as a basis for the negotiations. Only one provision, concerning the scope of incidents to be investigated, remains contentious. While the final agreement is being negotiated, UNOMIG has already undertaken initiatives to involve representatives from all parties in joint investigations of several incidents of violence and alleged acts of terrorism on an ad hoc basis. This effort has contributed to keeping the situation under control, and more importantly to preventing wider escalation.

18. The road resurfacing and repair project is being pursued and the work is in varying stages of completion. On the M-27 road between Ochamchira and Gali Canal, a stretch of about 20 kilometres has been resurfaced and is now in good shape; further south on a stretch of 3 kilometres the road surfacing is in progress. The planned extension of this project into the lower Gali area, where the mine threat is greater, has started between Chuburkindzi and Nabakevi. The first stretch of about 8 kilometres between Chuburkindzi and Tageloni is finished. Once completed, this will allow much-needed access to the area for verification and monitoring in comparatively better security.

19. The deployment of the remaining 12 of 25 new ballistic-protected vehicles (RG-32 Scouts) was completed during May 1999, thereby enhancing further the operational flexibility of UNOMIG patrols in the areas of mine threat, especially in lower Gali.

20. The helicopter assigned to UNOMIG in June 1998 has continued to provide invaluable security back-up and operational support. The acquisition of another helicopter has been provided for in the current budget and procurement is under way. Upon deployment, this aircraft will further strengthen the air operations, especially the ability of UNOMIG to assist in medical evacuation.

21. As decided at the Istanbul meeting (see para. 7), Working Group I of the Coordinating Council, dealing with security matters, was convened by the Chief Military Observer in Tbilisi on 25 June 1999. It was the first meeting after one and half years of deadlock caused by objections by the Abkhaz side to the participation, as second members of the Georgian delegation, of persons affiliated with the structures of the Supreme Council of the Autonomous Republic of Abkhazia.

22. The Working Group decided, inter alia: that monthly meetings will be held, starting early August; that the number of law enforcement personnel on both sides will be brought in line with agreed levels; that all fortifications and positions along the line of separation will be dismantled by 10 July and no new positions will be occupied; and that the sides will propose by 10 July concrete measures for the withdrawal of forces and redeployment to rear positions. It is the intention of UNOMIG to pursue implementation vigorously despite the fact that the initial deadlines have not been kept.

IV. COOPERATION BETWEEN THE UNITED NATIONS OBSERVER MISSION IN GEORGIA AND THE COLLECTIVE PEACEKEEPING FORCES OF THE COMMONWEALTH OF INDEPENDENT STATES

23. The working relationship between UNOMIG and the CIS peacekeeping force has remained good, and close liaison is being maintained at all levels. The CIS peacekeeping force has provided security assistance with a quick reaction force. Regular exercises are being conducted and procedures are coordinated in order to maintain a high degree of readiness. Regular contact is being maintained to ensure exchange of information of mutual interest, especially concerning violent actions involving either the parties or the civilian population.

24. The CIS peacekeeping force has continued to conduct its operations mainly from static checkpoints, with limited mobile patrolling. However, it has displayed active interest in implementing the separation of opposing forces along the ceasefire line and cooperated in ad hoc investigations of incidents of violence. The targeting of the CIS peacekeeping force by partisan groups has decreased. Most of the CIS peacekeeping force was rotated during April and May 1999.

V. SITUATION ON GROUND

A. General

25. The general situation in the conflict zone has remained calm but unstable. The situation along the ceasefire line has shown considerable improvement and the incidents of exchanges of fire have been reduced even more as a result of the Mission's success in separating the opposing forces further. Despite apprehensions and widespread rumours of an impending escalation, the anniversary of the events of May 1998 passed without any major incident, owing in no small part to the moderation generated by the Mission's active liaison down to the lowest level on the ground. On the other hand, terrorist activities by so-called "uncontrolled" partisan groups, particularly in the lower Gali area, have not ceased and the Abkhaz militia continues to be targeted. Criminal activities are on the increase and insecurity is now spreading towards the northern restricted-weapons zone, especially after the two recent cases there in which mines targeted civilian traffic, causing several deaths. The Moscow Agreement is violated by random acts of deployment of prohibited weapons, mine incidents and denial of access to patrols, which continue despite protests by UNOMIG. While each of these violations in itself is not of major significance, seen together they provide a disturbing picture of lack of respect for the security regime. During the spring season a higher movement of refugees to the Gali region was observed, and many IDPs have taken up semi-permanent residence. The school holidays at the onset of summer have also seen a significant increase in the numbers of children returning to their homes, primarily to lower Gali.

B. Security and restricted-weapons zones

26. The Abkhaz unilateral initiative to facilitate the return of refugees and displaced persons to the Gali region has met a fair response from the displaced population and an increased number of returnees have used the opportunity to cultivate their lands. However, this is assessed as a temporary phenomenon as the lack of security guarantees and an absence of a supporting infrastructure inhibits their move on a permanent basis. As reported earlier (S/1999/460, para. 19), the potential returnees do not have confidence in the prevailing security arrangements in the area. The situation essentially remains unchanged, even though there has been some success in efforts of the Abkhaz authorities to curb criminal acts.

27. The M-27 was blocked yet again between 18 June and 9 July 1999, by protesters on the Georgian side of the Inguri Bridge, when a group of 25 persons, most from the same family, established a camp on 18 June to press their

demands for the release of three brothers detained in Sukhumi prison since May 1998. The blockade, which violated the Mission's freedom of movement, along with the denial of access to the heavy-weapons storage site in Ochamchira and to the Torsa training camp, are of concern to UNOMIG and adversely effect its peacekeeping operation.

28. Terrorist groups have remained active particularly in the lower Gali area and have mostly targeted the Abkhaz militia, but increasingly also the civilian population. The mine threat in the lower zone receded somewhat and a few UNOMIG exploratory ground patrols, within the limited patrolling concept, were successfully launched. During the reporting period, 2 Abkhaz militiamen and 12 civilians were killed and 5 Abkhaz militiamen and 20 civilians were injured in incidents of violence in Abkhazia, while two Georgian civilians were killed and one injured. It is assessed that the continued presence and activities of these terrorist groups are the main contributing factors towards instability and tension in the conflict zone. The groups appear increasingly to be targeting uniformed and civilian Abkhaz personnel who have established a good reputation with locals in the Gali region.

29. The situation along the ceasefire line has shown considerable improvement. Both sides have exercised greater restraint and the frequency of exchanges of fire across the line has decreased considerably. The situation in the area of Gan Mukhuri and Orsantia is more stable as the Georgian Interior Ministry troops have either pulled back their defensive positions or reduced their strength in accordance with the agreement reached at the seventh session of the Coordinating Council, held on 11 February 1999. The Chief Military Observer continues with his efforts to bring about still greater and simultaneous separation of forces to the levels existing as of January 1998, i.e., before the introduction of additional troops into the zone.

30. UNOMIG continues to observe the occasional presence of prohibited weapons in the security zone; however, neither the quality nor the quantity of the weapons gives rise to grave concern. Although UNOMIG reports these observations to the parties and registers protests, the response to the protests remains casual.

C. Kodori Valley

31. Access to the upper Kodori Valley remains impossible by road because of the destroyed bridge on the route from Sukhumi and the closure of the mountain pass along the route from Zugdidi. An exploratory patrol along the latter route was robbed at gunpoint on 10 May 1999 and for that reason the road is not used to patrol for the time being. Following that incident the local authorities in the Georgian-controlled part of the valley expressed displeasure with the UNOMIG efforts to report and pursue the perpetrators through the Zugdidi police. This is clearly unacceptable and it is expected that the authorities will cease the implied threats immediately. No progress has been made on repair of the bridge, which would enable ground patrols to access the entire valley through the Abkhaz side. Therefore, reliance continues to be placed on the helicopter for patrolling in the Georgian-controlled part of the valley, while ground patrols are launched into the Abkhaz part. The situation in the area has been calm;

however, the efforts of UNOMIG to facilitate a meeting between Abkhaz and Georgian military leaders have met with resistance because of the lack of willingness by the sides to agree on an acceptable date and place. The team base at Ajara remains closed and its temporary reopening is still under review.

VI. SECURITY ARRANGEMENTS

32. The security and safety of UNOMIG personnel continue to receive the highest priority and consideration. In addition to the robbery of UNOMIG personnel on the approach to Kodori Valley, as noted above, there was an explosion at the fence of the Mission's headquarters at Sukhumi in the early hours of 9 July. Although both incidents did not involve any threat to lives, they have been taken very seriously by UNOMIG. Furthermore, cases of theft of UNOMIG property have occurred, mostly in Sukhumi at premises guarded by Abkhaz authorities. This is an alarming trend and UNOMIG is pursuing better security arrangements with the local authorities who must honour their obligations more actively. The relative calm along the ceasefire line and progress achieved in separation of forces have reduced the risk of UNOMIG operational patrols being caught in crossfire.

33. The existing security arrangements continue to be in place at the UNOMIG headquarters and installations, although some easing was authorized by the Chief Military Observer following a comprehensive review. The presence of lightly armed international security officers and additional local watchmen has augmented the existing internal security arrangements. Meanwhile, UNOMIG continues to rely on the local administrative and law enforcement structures, and on the CIS peacekeeping force for the security and safety of its personnel and property. The parties have been eager to cooperate and have extended the necessary assistance when called upon to do so. Liaison is being maintained with them to further improve their response and to investigate more energetically incidents involving UNOMIG personnel and property. The CIS peacekeeping force is aware of its responsibility for providing assistance for the security and protection of UNOMIG under the Moscow Agreement of 1994 and conducts regular exercises to assure the continuing prompt availability of this assistance.

34. In the case of the murder of UNOMIG staff member Maria Magdalena Wewiorska, the suspected perpetrator, who was arrested on 6 August 1998 and subsequently confessed to the murder, was tried in court in Tbilisi, convicted and sentenced on 22 March 1999 to life imprisonment. An Appeals Court has meanwhile confirmed the judgement.

VII. HUMANITARIAN SITUATION AND HUMAN RIGHTS

35. Humanitarian assistance to many of the most vulnerable civilians in Abkhazia, Georgia, continues to be addressed through the ongoing programmes of international and non-governmental organizations.

36. The International Committee of the Red Cross (ICRC) continues to provide some 16,500 persons with dry food rations every three months. Additionally,

ICRC continues to operate 19 canteens serving 5,500 persons daily. The organization also provides agricultural inputs such as fertilizer and seeds to some 12,000 persons. In the medical sector, it continues to provide three Sukhumi polyclinics with medicines and five medical facilities with all required surgical materials. ICRC also runs regular refresher courses for doctors. Medecins sans Frontieres-France continues to provide drugs to 42 medical points in Abkhazia. It reopened its tuberculosis programme and in collaboration with Premiere Urgence is undertaking repairs of the TB hospital. Acción contra el Hambre continues its daily feeding programme serving 3,000 vulnerable people, as well as its dry food distribution to 4,500 vulnerable people. This year, it began an agricultural support programme for farmers. Part of the farmers' harvest will be used to provide its canteens with fresh vegetables. The programme is funded by the European Community Humanitarian Office.

37. United Nations Volunteers supports a recently opened NGO resource centre in Sukhumi which has hosted capacity-building training workshops and a media training course for journalists. The Youth House in Sukhumi, implemented by the United Methodist Committee on Relief with support from the United States Agency for International Development (USAID), continues its operations. During the reporting period, USAID also sponsored a summer camp for 120 children in Pitsunda. Twenty Abkhaz children will join 20 Georgian children in a summer camp to be held in the United States of America.

38. Demining activities under the auspices of HALO Trust continue in Abkhazia, principally in the Sukhumi and Gali areas. Since 1 January 1999, HALO Trust has removed more than 500 mines and, during the reporting period, it has also been conducting a mine awareness programme. Some 1,800 children and 500 adults have received training. Additionally, HALO Trust is carrying out minefield marking. Over 1,000 danger signs have been posted around hazardous areas, principally in the area of Ochamchira. An information centre has been established with local counterparts, and it is envisaged that all mine information will be transferred to computer maps and will be available for all when completed.

39. In Gali and Sukhumi, field staff from the Office of the United Nations High Commissioner for Refugees (UNHCR) continue protection monitoring activities in those parts of the district where the security situation permits. During the reporting period, this has included areas of lower Gali for the first time since the renewal of hostilities in May 1998. Based on this monitoring, it appears that the number of spontaneous returns to all areas of Gali has increased with the advent of the agricultural season.

40. While UNHCR, in coordination with UNOMIG, will continue to monitor spontaneous returns as well as the condition of civilians in Gali, it will not provide material assistance in the region, except on a life-sustaining and/or case-by-case basis, until firm agreements are reached by the parties to the conflict regarding security guarantees and modalities of return.

41. The Office for the Coordination of Humanitarian Affairs continues to monitor the overall humanitarian situation and advocate freedom of movement for humanitarian aid workers. During the reporting period, the blockade of the Inguri River bridge negatively affected humanitarian programmes by limiting supplies.

42. The primary concerns for the United Nations Human Rights Office in Abkhazia, Georgia continue to be threats to the right to life, threats to liberty and security of person, and the conditions of IDPs. During the reporting period, direct threats to the right to life of civilians, in which the Abkhaz militia has been implicated, have decreased. However, the Abkhaz authorities have often been slow to investigate these and other allegations. The Office is also concerned about the increased use of anti-tank and anti-personnel mines in the UNOMIG area of responsibility. The Abkhaz authorities have detained and arrested several persons on suspicion of partisan activities during the conflict. No formal detention and arrest procedures were followed, nor do the prisoners generally have any access to legal counsel or family visits. Reports continue to be received that prison guards in the Sukhumi Interior Prison beat and harass the prisoners. Finally, the Abkhaz authorities have been reluctant to provide security for the returnees.

43. The Office continues to participate routinely in UNOMIG patrols to the Gali and Zugdidi regions. In connection with a pending technical cooperation project, it has established four depository libraries in Sukhumi and eight throughout Abkhazia for United Nations human rights instruments and materials. Furthermore, the Office maintains close relations with authorities and non-State actors in Tbilisi, as well as with the de facto authorities and local non-governmental organizations in Sukhumi.

VIII. SOCIAL AND ECONOMIC ASPECTS

44. Since the last report, the Georgian lari (GEL) has strengthened somewhat in relation to the United States dollar, fluctuating between GEL 1.95 and GEL 2.05 per dollar. To a limited extent, the National Bank has participated in the currency market as a purchaser of dollars.

45. Although some stabilization has occurred in the economy of the Russian Federation, Georgia continues to experience negative effects on its economy from the August 1998 crisis in the Russian Federation and the instability of the global economy in 1998. Exports to the Russian Federation, which represent almost 30 per cent of Georgia's total exports, continue to be sharply off their pre-financial crisis level, thus severely affecting the country's trade balance and contributing to the pressure on the value of the lari. According to the State Statistics Department, industrial output in the first quarter decreased 4.3 per cent relative to the same period in 1998. The output for small and medium-sized enterprises, on the other hand, increased by 11 per cent during the first quarter relative to the preceding year. Also auguring well is the fact that the Baku-to-Supsa oil pipeline became fully operational with an approximate outflow of 150,000 barrels per day.

46. Within this mixed economic climate, tax collection continues to fall short of expected levels, thus negatively affecting the Government's capacity to finance budgetary expenditures. Targeted levels of disbursements for social expenditures, particularly in the health sector, continue to be fallen short of. However, the President has indicated that the Government intends to take strong countermeasures to drastically improve tax collection. In line with this intent, the creation of a special anti-corruption commission under the direct

supervision of the President is being considered as a means of increasing the Government's capacity to curb corruption and facilitate the adoption of a law regulating conflict of interest in public administration. An excise system applicable to the sale of cigarettes and spirits is also in the process of implementation.

47. In the light of the Government's continuing fiscal and economic reforms, the World Bank has approved a development credit line for Georgia with an approximate value of US$ 60.0 million.

IX. FINANCIAL ASPECTS

48. The General Assembly, by its resolution 53/232 of 8 June 1999, appropriated an amount of $31,000,479 gross, equivalent to $2,583,373 per month, for UNOMIG for the period from 1 July 1999 to 30 June 2000. The assessment of these amounts is subject to the decision of the Security Council to extend the mandate of the Mission.

49. Should the Security Council decide to extend the mandate of UNOMIG beyond 31 July 1999, as recommended in paragraph 57 below, the cost of maintaining the Mission until 31 January 2000 would be limited to the monthly amounts approved by the General Assembly.

50. As at 30 June 1999, unpaid assessed contributions to the UNOMIG Special Account amounted to $8.0 million. The total of outstanding assessed contributions for all peacekeeping operations at that date amounted to $1.5 billion.

X. OBSERVATIONS

51. While achieving progress in the negotiations process aimed at the comprehensive settlement of the conflict in Abkhazia, Georgia, continues to be difficult, contacts between the sides at all levels have continued to grow during the reporting period. This is attributable primarily to the determined efforts of my Special Representative, supported by the Russian Federation as facilitator, as well as the group of Friends of the Secretary-General, in insisting to the sides that continuation of the status quo is not an acceptable option, and in encouraging and logistically facilitating bilateral contacts in the fields of culture, humanitarian issues and economic cooperation, as well as on political questions.

52. Local-level contacts are extremely important for the peace process as a whole. Concrete projects that create jobs, open new avenues for economic cooperation, provide the chance to share cultural experience or offer more balanced media coverage work both to break down psychological barriers and to create a vested interest in a shared, peaceful and prosperous future together.

53. The two meetings on confidence-building measures held to date, in Athens and in Istanbul, were of key importance in developing contacts and in the elaboration of concrete projects for cooperation. Some measures have already

been implemented and both sides should work assiduously towards full implementation of all agreements reached at those meetings. The revival of the working groups within the framework of the Coordinating Council is particularly noteworthy and will provide an additional ongoing forum for discussion, cooperation and implementation.

54. At the same time, the key issues of the settlement process remain unresolved. It is imperative that the Georgian and Abkhaz sides understand that the international community expects substantive progress. It is time for each side to demonstrate the necessary political will to take a major step forward, namely, to reach agreement on the return of refugees and IDPs to the Gali district in its old borders and measures for the economic rehabilitation of Abkhazia, Georgia. The international community should be ready to provide support for the implementation of such an agreement. Still, such an agreement will be only the first step towards the ultimate goal: the comprehensive political settlement of the conflict in Abkhazia, Georgia.

55. In the security field, the recent improvements in the security situation along the line of separation of forces and the efforts of the sides to produce these improvements are noted with approval, but the full separation of forces, in accordance with the Moscow Agreement and the 24 September 1998 Protocol, remains to be accomplished. I call upon the sides to take immediate steps to implement the decisions towards this end reached by Working Group I of the Coordinating Council at its session on 25 June 1999.

56. Furthermore, it is expected that the sides will reach agreement on, and sign, the "Protocol concerning a Joint Group for Establishment of Facts concerning Violations of the Moscow Agreement of 14 May 1994 and Terrorist and Subversive Acts".

57. UNOMIG, through its monitoring presence on the ground and its sustained efforts within the peace process, continues to play an essential role in the stabilization of the situation in Abkhazia, Georgia, and in the search for a peaceful solution to the conflict. I therefore recommend that the Security Council extend the mandate of UNOMIG for a further six-month period, ending on 31 January 2000.

58. As Mr. Bota is taking on a new position outside the Organization, I have accepted his resignation as my Special Representative effective 31 July. After many years of service with the United Nations, often in very challenging and difficult assignments, among which I count his last two years as my Special Representative for Georgia, I wish to thank him for his services and for his exemplary loyalty and dedication to the ideals of the United Nations. I will be reverting to the Security Council regarding the issue of Mr. Bota's succession in due course.

Annex

Composition of the United Nations Observer Mission in Georgia as at 30 June 1999

Country	Military observers
Albania	1
Austria	5
Bangladesh	7
Czech Republic	4
Denmark	5
Egypt	3
France	5
Germany	10
Greece	4
Hungary	5
Indonesia	4
Jordan	6
Pakistan	7
Poland	4
Republic of Korea	3
Russian Federation	3
Sweden	5
Switzerland	4
Turkey	5
United Kingdom of Great Britain and Northern Ireland	7
United States of America	2
Uruguay	3
Total	102

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LETTER DATED 20 JULY 1999 FROM THE PERMANENT REPRESENTATIVE OF GEORGIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

An open debate on the disarmament, demobilization and reintegration of ex-combatants in a peacekeeping environment at the Security Council meeting on 8 July 1999 highlighted the practical value of permanently adapting the United Nations modus operandi in peacekeeping and peace-building to the challenges of the conflict situations around the world.

In this context the conflict in Abkhazia, Georgia, merits particular attention: the continued availability of large amounts of armaments to the Abkhaz separatists has unleashed incidents of violence against the returnees. Since the deployment of the Commonwealth of Independent States (CIS) peacekeeping operation in the zone of conflict, these incidents have already claimed the lives of 1,500 people, thus displaying a consistent pattern of progressing ethnic cleansing. The implications of continued weapons smuggling into Abkhazia became increasingly self-evident with the outbreak of hostilities in Gali district in May 1998, which resulted into a new outflow of displaced persons from the region.

From 1993 up to now there have been numerous facts of illegal shipments of armaments to Abkhazia. At present, the Abkhaz separatists are in possession of more than 124 units of heavy weaponry as well as military aircraft, attack helicopters and military vessels. Suffice it to state that the increasing amounts of unregistered armaments have contributed to the emergence of a situation that poses a threat to the treaty regime of the Treaty on Conventional Armed Forces in Europe (CFE Treaty) and the security and stability of the whole region. The alarming trend is maintained in contravention of paragraph 8 of Security Council resolution 876 (1993) on the situation in Abkhazia, Georgia, in which the Council "calls on all States to prevent the provision from their territories or by persons under their jurisdiction of all assistance, other than humanitarian assistance, to the Abkhaz side and in particular to prevent the supply of any weapons and munitions". By the same token, the supply of weaponry constitutes a flagrant violation of the decisions of the CIS heads of State of 19 January 1996.

Given this premise, we fully support the commitment expressed by the members of the Security Council that all nations which export arms and light

weapons, or which are involved in the traffic flow of these weapons, bear responsibility and that there is a need for concerted actions to curb arms transfers to zones of conflict.

In this respect, we do believe that the statement of the President of the Security Council of 8 July 1999 (see S/PRST/1999/21) offers sound ground, inter alia, for bringing the strict implementation of Security Council resolution 876 (1993) into the focus of the forthcoming Security Council discussion on the situation in Abkhazia, Georgia. Empowering the United Nations Observer Mission in Georgia (UNOMIG) to monitor arms transfers to Abkhazia could be one of the aspects of reinvigorating the process of the conflict settlement, which has been at an impasse for too long.

Being conscious of the international dimension of the illegal flow of armaments, Georgia stands ready to contribute to the multilateral efforts and to cooperate in negotiating effective instruments to this end, in particular, a global convention on illicit arms trafficking.

May I ask your kind assistance in having the present letter circulated as a document of the Security Council.

(Signed) Peter CHKHEIDZE
Ambassador
Permanent Representative